INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

INTERNATIONAL FISHERIES DIVISION

OFFICE OF SUSTAINABLE FISHERIES

2002

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International Fisheries Division (F/SF4)
Office of Sustainable Fisheries

National Marine Fisheries Service
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
1315 East-West Highway
Silver Spring, Maryland 20910

Telephone: (301) 713-2276
Fax: (301) 713-2313

INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

CONTENTS

PART V. APPENDIX

PART I. INTERNATIONAL AND REGIONAL MANAGEMENT ARRANGEMENTS

ATLANTIC OCEAN

International Convention for the Conservation of Atlantic Tunas (Basic Instrument for the International Commission for the Conservation of Atlantic Tunas -- ICCAT)

Basic Instrument

International Convention for the Conservation of Atlantic Tunas (TIAS 6767), 20 U.S.T. 2887, 1969, which was signed on May 14, 1966.

Implementing Legislation

Atlantic Tunas Convention Act (16 U.S.C. 971).

Member Nations

Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China (People's Republic), Côte d'Ivoire, Croatia, Equatorial Guinea, European Community (EC), France (in respect of St. Pierre et Miquelon), Gabon, Ghana, Guinea (Republic of), Honduras, Japan, Korea (Republic of), Libya, Morocco, Namibia, Panama, Russian Federation, Sao Tome and Principe, South Africa (Republic of), Trinidad and Tobago, Tunisia, United Kingdom (in respect of its overseas territories), United States of America, Uruguay, and Venezuela.

It was agreed at the 1997 annual meeting that all EC Member States would withdraw from the Commission effective 31 December 1997. France and the United Kingdom rejoined in respect of their independent territories.

Commission Headquarters

International Commission for the Conservation of Atlantic Tunas
c/ Corazon de Maria, 8
6-Planta
28002 Madrid, Spain

Executive Secretary: Dr. Adolfo Ribeiro Lima
Telephone (from U.S.): (011) 34-91-416-5600
Fax: (011) 34-91-415-2612
Web address: http://www.iccat.es/

Budget

The Commission's Standing Committee on Finance and Administration (STACFAD) approved a budget for calendar year 2002 of 1,615,001.55 euros, which is an increase of 94783.10 euros or approximately 6.23 percent from 2001. The U.S. contribution to this budget is 115,544.06 euros (approximately $101,922.18). The agreed 2003 budget is 1679,601.62 euros with a U.S. contribution of 120,230,41 euros. Unfortunately, the 2001 ICCAT meeting was adjourned before final action could be taken by the Commission to approve the budget for the 2002-03 biennial period recommended by STACFAD; therefore, the Commission must approve the budget by mail vote. This should take place in early 2002. The budget is expected to pass without difficulty.

It was noted again at the 2001 ICCAT meeting that several Contracting Parties were in arrears, which was creating

cash flow difficulties for the Commission. Members have promised to bring their contributions up to date as soon as possible. In addition to the collection of past due contributions, there is another step that, if taken, will help relieve ICCAT's budgetary difficulties. This step is the adoption of the Madrid Protocol. This protocol was negotiated in 1992 and restructures the way contributions are calculated to take into consideration the position of developing countries. The protocol will enter into force once the required number of developed and non-developed market economies ratify or accede to it. At this point, ratification/accession from only one of the following five non-developed market economies is needed to bring the Madrid Protocol into effect: Angola, Cape Verde, Cote d'Ivoire, Equatorial Guinea, or Sao Tome and Principe. Once in force, the protocol will reduce the contributions of developing states, place ICCAT on a stable and secure budgetary foundation, and ensure that the Commission can undertake all of its work.

U.S. Representation

A. Appointment Process:

The Atlantic Tunas Convention Act (ATCA) provides that not more than three Commissioners shall represent the United States in ICCAT. Commissioners are appointed by the President and serve 3-year terms. Of the three U.S. Commissioners, one can be a salaried employee of any state or political subdivision thereof, or of the Federal Government. The Government Commissioner is not limited in the number of terms that he or she can serve. Of the two Commissioners who are not government employees, one must have knowledge and experience regarding commercial fishing in the Atlantic Ocean, Gulf of Mexico or Caribbean Sea and the other must have similar knowledge and experience regarding recreational fishing. The non-Government Commissioners are not eligible to serve more than two consecutive 3-year terms.

B. U.S. Commissioners:

Rolland Schmitten (Term expires: 02/02)
Director, Office of Habitat Conservation
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Robert Hayes (First term expires: 1/05)
Ball Janik
1455 F Street, N.W., Suite 225
Washington, D.C. 20004

Glenn Delaney (Final term expires: 10/03)
601 Pennsylvania Ave., N.W.
South Building, Suite 900
Washington, D.C. 20004

C. Advisory Structure:

The U.S. Commissioners are required, under the ATCA, to constitute an Advisory Committee to the U.S. National Section to ICCAT. This body shall, to the maximum extent practicable, consist of an equitable balance among the various groups concerned with the fisheries covered by the Convention and is exempt from the Federal Advisory Committee Act. The Committee consists of (1) "not less than five nor more than twenty individuals appointed by the United States Commissioners who shall select such individuals from the various groups concerned with the fisheries covered by the Convention" and (2) the Chairs (or their designees) of the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf of Mexico Fishery Management Councils (FMCs). Appointed Committee members serve 2-year terms and are eligible for reappointment. The Committee generally consists of the maximum 20 appointed members and the five FMC representatives.

Upon approval of the Committee and the Department of State, the directors (or their designees) of the fisheries agencies of each of the states, the residents of which maintain a highly migratory species fishery in the regulatory area of the Convention, may be invited to serve as *ex officio* members of the Committee. The Advisory Committee is invited to attend all non-executive meetings of the U.S. Commissioners and, at such meetings, shall have the opportunity to examine and to be heard on all proposed programs of investigation, reports, recommendations, and regulations of the Commission.

The ATCA also provides that the Commissioners may establish species working groups for the purpose of providing advice and recommendations to the Commissioners and to the Advisory Committee on matters relating to the conservation and management of any highly migratory species covered by the Convention. Any species working group shall consist of no more than seven members of the Advisory Committee and no more than four scientific or technical personnel. The Commissioners have established the following four working groups: billfish, swordfish, bluefin tuna, and BAYS (bigeye, albacore, yellowfin, and skipjack) tunas. The Commissioners generally appoint the maximum number of technical advisors provided by law (i.e., 16).

The Chairman of the Advisory Committee is Dr. John Graves, The College of William and Mary, Virginia Institute of Marine Science, School of Marine Science, Gloucester Point, VA 23062. The Committee's Executive Secretary is Kim Blankenbeker (see addresses below). The Committee meets at least twice a year, usually in Silver Spring, Maryland, and often holds additional meetings along the East Coast, Gulf of Mexico and Caribbean Sea. The Committee's Statement of Operating Practices and Procedures is available from its Executive Secretary.

Description

A. Mission/Purpose:

ICCAT was established to provide an effective program of international cooperation in research and conservation in recognition of the unique problems related to the highly migratory nature of tunas and tuna-like species. The Convention area is defined as all waters of the Atlantic Ocean, including the adjacent seas. The Commission is responsible for providing internationally coordinated research on the condition of Atlantic tuna and tuna-like species, and their environment, as well as for the development of regulatory recommendations. The objective of such regulatory recommendations is to conserve and manage species of tuna and tuna-like species throughout their range in a manner that maintains their population at levels that will permit the maximum sustainable catch.

B. Organizational Structure:

The ICCAT is comprised of a (1) commission, (2) council, (3) executive secretary, and (4) subject area panels. The Commission consists of not more than three delegates from each Contracting Party. The Council is an elected body within the Commission consisting of a chairman, vice-chairman, and representatives of not less than four nor more than eight Contracting Parties and which performs such functions as are assigned to it by the Convention or Commission. Although the Council is supposed to meet at least once between regular meetings (which occur every other year), since 1978 Special Meetings of the Commission have been held in lieu of meetings of the Council. The Executive Secretary is responsible for coordinating the programs of investigation, preparing budget estimates, disbursing funds and accounting for expenditures; preparing the collection and analysis of data to accomplish the purposes of the Convention; and preparing scientific, administrative, and other reports for approval by the Commission. Panels are established by the Commission and are responsible for review of the species under their purview; collection of scientific and other information; proposing conservation recommendations for joint actions; and recommending studies by the Contracting Parties. Standing Committees on Research and Statistics (SCRS), Finance and Administration (STACFAD), and Compliance have been established by the Commission. ICCAT

also has constituted a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), which met for the first time in 1993. Much of the focus of the PWG is directed toward gaining the cooperation of ICCAT non-members with the conservation and management measures of the Commission.

C. Programs:

The Commission concerns itself with (1) joint planning of research, coordination of research carried on by agencies of the Parties in accordance with its plans, and joint evaluation of the results of such research; (2) the collection and analysis of statistical information relating to the condition of fishery resources in the Convention area; and (3) joint formulation of regulatory recommendations for submission to the Parties.

Recommendations adopted by the Commission are submitted to governments for acceptance. These recommendations become effective for all Parties to the Convention 6 months after their formal submission to all Parties (unless otherwise stated) provided objections are not made during that period by concerned Contracting Governments. Each Contracting Party has the responsibility for implementing and enforcing the Commission's recommended conservation and management measures.

The Commission has taken conservation actions with regard to several species of Atlantic tunas. It has also established conservation measures for Atlantic swordfish and billfish and has contemplated actions relative to oceanic sharks. The following is a review of the activities of the Commission by subject area panel, standing committee and working group.

Panel 1 - Bigeye, Yellowfin and Skipjack Tunas

Status of the stocks:

The 1999 SCRS stock assessment for bigeye tuna showed that the stock is over-exploited. The SCRS recommended a reduction in overall bigeye tuna catch, and noted particular concern about the excessive harvests of juvenile bigeye tuna. The SCRS recommended a reduction in overall catch to levels approaching 80,000 mt to possibly stem the stock decline. A further reduction would be necessary to begin rebuilding.

SCRS noted in its 2000 report that certain characteristics of Atlantic skipjack stocks make it extremely difficult to conduct an assessment using current models; thus, no standardized assessments were carried out. Some estimates were made, however, using other means. The eastern stock could be in a state of local overfishing in the equatorial area of maximum fishing concentration on FADs (fish aggregating devices). The analyses conducted for the western stock indicated that it is stable. SCRS noted that maintaining the Gulf of Guinea closed season could have a positive effect on the eastern stock.

Conservation and Management Actions:

In 1972, the Commission recommended a ban on the taking of yellowfin tuna weighing less than 3.2 kilograms (kg), allowing an incidental catch of not more then 15 percent of the number of fish landed per trip. This regulation was extended to bigeye tuna in 1979. Adherence to the minimum size for bigeye and yellowfin tunas has been poor. Reductions in fishing mortality of fish less than 3.2 kg could result in substantial gains in yield per recruit and modest gains in spawning biomass per recruit. In 1993, ICCAT adopted a measure for yellowfin tuna requiring ICCAT Parties to cap effective fishing effort at 1992 levels. Total effective effort has remained relatively stable since 1990. Yellowfin tuna is probably fully fished.

The Commission has been concerned about the high catches of juvenile tunas by purse seine and baitboat vessels fishing in the Gulf of Guinea using floating objects or FADs. This fishing method tends to attract large amounts of juvenile bigeye (and to a lesser degree yellowfin and skipjack) tunas, including tunas under current minimum sizes. Since 1996, ICCAT has been taking steps to gather data on and to enhance the protection of juvenile tunas in the Gulf of Guinea. At its 1998 meeting, ICCAT adopted a binding measure that closed the Gulf of Guinea to purse seine fishing using floating objects from November 1, 1999 through January 31, 2000. This measure followed the voluntary closure implemented by French and Spanish purse seiners in 1997-98, which showed promise as a management tool. The SCRS is continuing to evaluate the effectiveness of the closure for conserving juvenile tuna. To assist in the collection of data, the 1998 measure incorporated expanded observer requirements for the fishery. Observers were first recommended by ICCAT for bigeye and yellowfin fisheries, including the Gulf of Guinea fishery, in 1996. At its 1999 meeting, ICCAT extended its Gulf of Guinea time/area closure, and the measure was expanded to encompass all surface fleets. This recommendation prohibits fishing over floating objects from November 1 of one year to January 31 of the following year. The measure also requires vessels to carry an observer at all times for both compliance and the collection of biological data, and it requires the establishment of internal procedures by each party to penalize their vessels for non-compliance. In addition, the recommendation directed the SCRS to analyze the impacts of the closure and to use that analysis to recommend management measures. The SCRS met intersessionally in 2000 to conduct this analysis. For a number of reasons, the SCRS evaluation of the Gulf of Guinea closed area was not entirely conclusive. The closure may be effective in reducing fishing mortality for juvenile bigeye tuna, at least during the closed season. The effect would likely be greater once all surface fleets fishing on FADs participate in the closure as adopted by ICCAT in 1999. The closure seems to have resulted in a stabilization of the percentage of bigeye harvested less than the minimum size to around 55% for the last three years.
The Commission has also begun to look at other methods to conserve and manage the bigeye fishery in recognition of the need to control the overall catch of this species. Noting the large increases in harvests by Chinese Taipei (the name used by ICCAT since 1997 ro refer to Taiwan), the Commission placed a 16,500 mt cap on Chinese Taipei's bigeye fishery at its 1997 meeting, extended the cap at the 1998 meeting, and additionally, placed a 125 vessel limit on the number of fishing vessels of Chinese Taipei allowed to operate in the bigeye fishery. In 1997, ICCAT began a program to collect basic data on fleet size in a move toward limiting fishing effort. ICCAT followed up this action at its 1998 meeting by adopting a measure requiring the registration of vessels over 24 meters length overall (LOA) fishing for bigeye tuna and authorizing parties to take the necessary measures to prevent vessels not on the registration list from fishing for bigeye tuna. Further, ICCAT adopted a binding measure to limit both the number of vessels larger than 24 meters LOA operating in the bigeye fishery and the capacity of those vessels as a means of limiting effort and catch of ICCAT species. Exceptions were allowed for countries under certain catch levels. Recreational vessels were also excluded.

Recognizing that vessel limitations and capacity controls are interim measures and, taken alone, likely will not lead to the recovery of bigeye tuna, the Commission adopted a resolution in 1998 tasking the SCRS to develop rebuilding plans for this species that take into account all forms of fishing mortality, including dead discards. In its 1999 report, the SCRS noted that more research on the basic biological characteristics of bigeye tuna is necessary and is ongoing in the Bigeye Tuna Year Program. The results of this work should enhance assessment in the near future so that the SCRS can provide improved advice to the Commission. Because of the lack of scientific information concerning bigeye tuna available prior to its 1999 and 2000 meetings, however, the SCRS has not yet been able to provide rebuilding advice to the Commission.

Despite the lack of rebuilding scenarios from the SCRS, the Commission took important conservation action for bigeye tuna at its 2000 meeting. Specifically, ICCAT established first-ever catch limits in the overfished bigeye tuna fishery that are applicable for the 2001 fishing season. Parties are to limit their catch of Atlantic bigeye tuna to the average catch of bigeye tuna by all vessels for 1991 and 1992. In an effort to control China's quickly

expanding fleet and bigeye tuna harvests, China is to make every effort to limit its bigeye tuna fleet to 30 vessels and its bigeye catch to 4000 mt. In addition China, is to limit its overall Atlantic tuna fishing fleet to 60 vessels. Unfortunately, China recently lodged an objection to the 2000 bigeye measure and will not be bound by its terms. Regarding non-members, the Philippines is to limit its bigeye tuna fishing fleet to five vessels. Previous limitations on Chinese Taipei's bigeye tuna fleet (125 vessels) and on its catch (16,500 mt) remain in effect. In addition, parties harvesting less than 2,100 mt during the 2000 fishing season are exempt from the bigeye tuna catch limitations. Even with the Chinese objection, the total catch of bigeye tuna in 2001 should be less than 100,000 mt, which is well below 1999 harvest levels.

With respect to yellowfin tuna, primary concern has been expressed at ICCAT meetings about the significant harvest of yellowfin tuna under ICCAT's minimum size. It was hoped that the yellowfin tuna would benefit from the voluntary and as of 1998 mandatory measures by being taken in the FAD fisheries of the Gulf of Guinea discussed under bigeye above. Recent analysis by the SCRS suggests that the closure may not be reducing harvests of undersized yellowfin tuna. Additional research on this issue is ongoing.

ICCAT has not adopted any management measures for either the eastern or western Atlantic stock of skipjack. As with bigeye tuna, however, the mandatory time/area closures to FAD fishing in the Gulf of Guinea should affect the eastern stock of skipjack. Research on this issue is continuing.

Panel 2 - North Atlantic Bluefin Tuna and Albacore:

Western Atlantic Bluefin Tuna: The capture of bluefin tuna in the western Atlantic was prohibited in 1981except for a catch quota for continuing scientific monitoring of the stock. This catch was allocated to ICCAT member nations which had actively participated in the fishery (United States, Canada, Japan). Brazil and Cuba, whose catches were less than 50 mt annually, were exempt from these early regulations. The Commission continued in following years to review periodically and adjust catch quotas as deemed appropriate. Other measures were also adopted, such as limiting the catch of bluefin smaller than 120 centimeters in length to no more than 15 percent in weight of the catch limit in the Western Atlantic; prohibiting directed bluefin fisheries in spawning areas such as the Gulf of Mexico; addressing the problem of overages; and encouraging tag and release of fish less than 30 kg.

Given the continued overfished status of western Atlantic bluefin tuna, ICCAT adopted at its 1998 meeting a rebuilding program for the western stock with the goal of reaching MSY in 20 years. This represents the first time that ICCAT has articulated a rebuilding goal to guide its management actions and fashioned a plan for achieving that goal. The annual total allowable catch (TAC) under the program is 2,500 mt, inclusive of dead discards. This TAC, which represents total fishing mortality, is consistent with that established in 1996. The program provides flexibility to alter the TAC, the MSY target, and/or the rebuilding period based upon subsequent scientific advice. The 2,500 mt TAC will not be altered unless there is evidence that a catch level greater than 2,700 mt or less than 2,300 mt would have at least a 50 percent chance of rebuilding the stock to MSY within the 20-year time frame.

The 2,500 mt TAC is shared by the United States, Japan, Canada, the United Kingdom (in respect of Bermuda) and France (in respect of St. Pierre et Miquelon). Bermuda first received a 4 mt incidental catch allocation during the 1995 quota negotiations. Although the fishery was fully subscribed, ICCAT noted that the request was limited in scope and determined that denying it could discourage other non-member countries harvesting ICCAT-managed species from joining ICCAT; thus, potentially harvesting ICCAT species but remaining outside ICCAT's control. The quota agreement in the 1998 western Atlantic bluefin tuna rebuilding program represents the first time St. Pierre et Miquelon requested an allocation.

The 1998 recommendation provides that, after reducing the TAC to account for dead discards (79 mt) and the 4 mt

allocation each for the UK and France, the remainder of the TAC (2,413 mt) is to be allocated among the United States, Japan, and Canada. The U.S. share of the landings quota is 1,387 mt (a 43 mt increase in landings over 1997-98 levels). Canada received 573 mt (a 21 mt increase) and Japan received 453 mt of the TAC (equal to their 1998 share). The rebuilding plan has a unique clause that provides an incentive to minimize dead discards. If dead discards are above a country's allowance, they must be counted against that country's quota in subsequent years. If discards are below a country's allowance, half of the underage may be added to the next year's quota while the other half is conserved. The U.S. dead discard allowance under ICCAT's rebuilding program is 68 mt. Among other things, this recommendation also allows four years to balance the 8 percent tolerance of bluefin under 115 cm, which will facilitate implementation of recreational fishery measures.

A new stock assessment was conducted in 2000 for western Atlantic bluefin tuna. The SCRS advised that the total allowable catch "...should not be changed significantly from the current level..." Given this advice and noting the 20 year rebuilding program agreed by ICCAT in 1998 was only in its second year, ICCAT members that fish for western bluefin tuna preferred a cautious approach to the management of this species and did not seek a change in the current 2,500 mt quota.

Eastern Atlantic Bluefin Tuna: Recognizing the potential impact of mixing between the eastern and western Atlantic stocks of bluefin tuna, the United States has been pursuing the establishment of effective management measures for the eastern Atlantic and Mediterranean bluefin tuna fishery with increasing vigor. At the 1998 ICCAT meeting, the Commission adopted, for the first time, firm quotas for all harvesters of bluefin tuna in the eastern Atlantic and Mediterranean. Previously, ICCAT had established a cap for all countries (except France which received firm quotas beginning in 1996) fishing in the fishery with phased in reductions. These reduction were to start in 1996 and be completed by 1998. As of the 1998 ICCAT meeting, compliance with the catch limits established for eastern Atlantic/Mediterranean harvesters was slim.

Under the terms of the agreement adopted by ICCAT in 1998, the 1999 quota for the eastern Atlantic and Mediterranean fishery was 32,000 mt and the 2000 quota will be 29,500 mt. These quotas are subdivided into country-specific quotas, and they represented a significant reduction from recent landings of over 40,000 mt. A critical aspect of this agreement was that overharvests from 1997 were to be deducted from the 1999 quota level; thus, the adjusted TAC applicable to the eastern Atlantic/Mediterranean was expected to approach 27,000 mt. In real terms, the 1999 catch level was to be about a 33 percent decrease over current catch levels. Before the quota agreement for the eastern bluefin tuna fishery came into force, Libya and Morocco lodged objections to the measure. The agreement came into force for all but these two countries on August 20, 1999.

At the 2000 ICCAT meeting, the Commission adopted an overall catch level of 29,500 mt for 2001, although scientific advice indicated that the total catch for the eastern Atlantic bluefin tuna fishery must, at a minimum, be reduced to 25,000 mt in order to begin rebuilding, Furthermore, a catch level of 29,500 will allow overfishing to continue, and does not take into account other factors that may lead to actual harvest levels that exceed this target. The difficulty in establishing an effective conservation measure for this stock was due, in part, to the lack of progress to date on allocation criteria.

Other conservation measures in effect for the eastern Atlantic include: (1) prohibition on catching bluefin tuna with purse seines during the month of May in the Adriatic Sea and during the period July 16-August 15 in the other areas of the Mediterranean to protect juveniles (previously the entire Mediterranean was closed for the month of August); (2) prohibition on the use of airplanes and helicopters in support of fishing operations in the month of June in the Mediterranean; (3) prohibition on catching bluefin tuna by longline vessels greater than 24 meters in length during June and July in the Mediterranean.

Entire Atlantic: In 1974, a 6.4 kg minimum size limit and a limit on fishing mortality were established for Atlantic bluefin tuna. The minimum size measure allows an incidental catch of not more than 15 percent of fish (by weight or number) less than 6.4 kg to be landed per trip. An absolute minimum size of 3.2 kg was adopted by ICCAT at its 1998 meeting. This is an increase over the previous absolute minimum size of 1.8 kg. The 1998 absolute minimum size measure prohibits the retention, landing, and sale--including sale in markets in nations bordering the Convention area--of bluefin tuna less than 3.2 kg in the Convention Area by Contracting Parties and non-Contracting Parties.

In 1992, the Commission adopted the Bluefin Tuna Statistical Document (BSD) program, which requires the use of an ICCAT-accepted reporting system to monitor trade in fresh and frozen bluefin tuna. The BSD requires exporters of bluefin tuna to include documents identifying the location and flag of the vessel catching the fish. This information has been used to address the problem of harvests that are contrary to ICCAT rules, especially by non-member countries. In 1994, a Bluefin Tuna Action Plan was adopted by the Commission that linked information gathered thru the BSD Program with Contracting Party compliance and non-Contracting Party cooperation with ICCAT's conservation regime. At this time, the Infractions (now Compliance) Committee was tasked with reviewing Contracting Party activities, while the Permanent Working Group (PWG) was tasked with reviewing the activities of non-Contracting Parties. Information on recent developments with regard to the BSD and Action Plan can be found in the PWG and Compliance Committee sections of this chapter.

Because of concerns that harvests of eastern Atlantic bluefin tuna will negatively affect the western stock, ICCAT adopted at its 2000 meeting a proposal calling for an intersessional scientific meeting in 2001 to examine bluefin tuna stock boundary issues. Research will also be conducted in 2001 to examine the possibility that bluefin tuna spawning areas exist in the central Atlantic Ocean. ICCAT also requested that, in 2001, the SCRS (1) report on the effects of bluefin tuna farming on the collection of catch statistics, (2) recommend ways to improve the bluefin tuna statistical document, if needed, (3) and report on updating the conversion factors for bluefin tuna products to live weight.

Northern Albacore: At its 1998 meeting, ICCAT adopted a measure to limit fishing capacity in the northern albacore fishery. This action is similar to that taken by ICCAT in the bigeye tuna fishery in 1999 and is intended to prevent further increases in fishing mortality, consistent with scientific advice that the stock is close to full exploitation. Specifically, parties fishing for northern albacore are to limit the number of vessels in this fishery to the average number in the period 1993-95. To control compliance with this measure, parties are to submit a list of the vessels participating in a directed fishery for northern albacore by June 1, 1999, and annually thereafter. The measure exempted recreational vessels and countries harvesting less than 200 mt from these reporting and limitation requirements, although it capped the latter at 200 mt. In addition, Japan was to limit its total catch of northern albacore to no more than 4 percent by weight of its total longline harvest of Atlantic bigeye tuna.

At its 1999 meeting, ICCAT adopted a recommendation directing the SCRS to evaluate the fishing capacity of different fleets/gears that participate in northern albacore fishery with a view to establishing effective fishing effort correspondence, taking as the reference period the years 1993-95. The measure requires all parties that have directed fisheries for northern albacore to provide SCRS with all the information required to establish said fishing effort correspondence and specifies that SCRS may suggest other appropriate management measures needed to limit sufficiently fishing mortality, including different possible stock recovery scenarios.

To improve control over the overfished northern albacore fishery, ICCAT agreed at its 2000 meeting to establish first-ever catch limits on that fishery. A TAC of 34,500 mt was set for 2001. This level is slightly below the 1999 catch level and should maintain a stable spawning stock biomass. The TAC, however, is above the maximum sustainable yield level of 32,600 mt. The majority of the TAC was allocated to the EC (28,712 mt). The U.S.

share was 607 mt. All other ICCAT members are to limit their catches to 200 mt, except Japan. Because albacore is a taken as a non-target species in Japan's bigeye tuna fishery, Japan is to limit its harvest of northern albacore to 4 percent in weight of its longline catch of bigeye tuna. Similar to the catch limits established in 2000 for bigeye tuna, the conservation measures adopted in 2000 for northern albacore represent a reasonable first step toward stock rebuilding.

Panel 3 - South Atlantic Bluefin Tuna and Albacore:

Southern Bluefin Tuna: No management measures have been established by ICCAT for southern bluefin tuna. This stock is distributed among the Indian, Pacific, and Atlantic Oceans. Stocks are assessed and managed by the Commission for the Conservation of Southern Bluefin Tunas (CCSBT). ICCAT collaborates closely with the CCSBT regarding this stock.

Southern Albacore: ICCAT adopted management measures for southern albacore for the first time at its 1994 meeting. Further measures were adopted in both 1996 and 1997. These actions were aimed at arresting the apparent decline of southern albacore. A TAC of 22,000 mt was established for the stock at ICCAT's 1997 meeting for both 1998 and 1999; however, a sharing arrangement for the TAC could not be agreed by the concerned nations (which included ICCAT members South Africa and Brazil and non-members Chinese Taipei and, at that time, Namibia). The 1998 scientific advice estimated that replacement yield for the stock was higher than previously thought at 28,200 mt and that current catch levels appeared to be sustainable. Based on this advice, ICCAT adopted a new measure at its 1998 meeting that replaced the 22,000 mt TAC for 1999 with a 28,200 mt TAC. Of that figure, 27,200 mt was allocated to parties "fishing actively" for southern albacore (i.e., South Africa, Brazil, Namibia, and Chinese Taipei). In an interesting development, these parties agreed to monitor their catches and report those catches to a designated Contracting Party within 2 months of the harvest. Every 2 months, a report of the cumulative catch will be made to those actively fishing for southern albacore and to the ICCAT Secretariat. When the total catch reaches 80 percent (21,760 mt) of the 27,200 mt level, multilateral discussions will be initiated in order to decide on steps to be taken to prevent over harvest of the catch limit. Once the established catch limit of 27,200 mt is reached, the parties will stop fishing for southern albacore. Countries not actively fishing for southern albacore, such as the United States and the EC, were subject to an annual catch limit of no more than 110 percent of their average 1992-96 catch levels of that stock. Japan was to endeavor to limit its total catch of southern albacore to no more than 4 percent by weight of its total longline catch of bigeye tuna taken in the South Atlantic.

Although there was difficulty on the part of certain countries to monitor their southern albacore fisheries and report in a timely way during 1999, ICCAT agreed at its 1999 meeting to extend this innovative management arrangement for another year. In taking this action, parties agreed to improve their monitoring and reporting. In addition, ICCAT recognized that U.S. catches of southern albacore are incidental to its South Atlantic swordfish fishery and that, according to analyses based on improved data collection, the limitation in effect for the United States for 1998 was not adequate. Thus, the United States was provided a modest increase in its harvest allowance for 2000, which was expressed as a percentage of its target catch rather than as a quota or catch limit. Specifically, the United States was to limit its total catch of southern albacore to no more than 4 percent by weight of its total South Atlantic swordfish catch taken by longline. This approach was similar to that provided to Japan in this fishery.

With minor changes, the management arrangement that has been in effect for the southern stock of albacore for the last few years was extended at the 2000 ICCAT meeting through 2001. This one-year management measure established the TAC for this stock at 29,200 mt, which corresponds to replacement yield and is below the estimates of maximum sustainable yield. Four parties (Brazil, Namibia, South Africa, and Chinese Taipei) will share 27,500

mt of the overall TAC. No quota sharing arrangement has been developed for this fishery pending the outcome of the allocation criteria working group. Parties again agreed to monitor their fisheries, report harvests to a designated party at regular intervals, and close down the fishery when the TAC has been reached. While implementation of this innovative management approach has not worked particularly well, TACs have not been seriously violated in the past. Catch limits continue to apply to minor harvesters. Rather than being calculated as a percentage of our total South Atlantic swordfish catch as it was in 2000, however, the U.S. catch limit for 2001 is 100 mt.

Panel 4 - Swordfish, Billfish, Bonito, and Other Species:

Swordfish: In 1990, the Commission adopted management provisions for swordfish that, among other things: reduced fishing mortality on fish weighing more than 25 kg by 15 percent from the 1988 levels in the North Atlantic; prohibited the landing of swordfish weighing less than 25 kg in the entire Atlantic; allowed an incidental catch of not more than 15 percent of the number of fish landed; and limited effort in the entire Atlantic to 1988 levels. However, the 15 percent tolerance (in number) of incidental small fish catch has made this recommendation difficult to enforce. The SCRS reported that a lower minimum size prohibition with no tolerance could be used as the functional equivalent (in terms of fishing mortality) of the current minimum size with tolerance.

In 1992, the Commission instructed the SCRS to consider various measures to rebuild the stock over a reasonable period of time and maintain it at MSY levels. ICCAT also approved a U.S. plan to conduct a 2-year pilot program that would provide for the collection of biological data from dead swordfish discards.

By 1994, new data indicated that current harvest levels were above replacement yield, and country quotas for 1995 and 1996 were agreed for all of the primary North Atlantic swordfish harvesting nations. The Commission also established management measures for South Atlantic swordfish for the first time in 1994. These measures required that Contracting Parties whose catches in the South Atlantic were greater than 250 mt not increase their catches in 1995 and 1996 beyond the higher of their 1993 or 1994 catch level. Further, member nations whose catches in the South Atlantic were less than 250 mt were not to increase their catches in 1995 and 1996 beyond 250 mt.

At its 1995 meeting, the Commission established a long-term sharing arrangement for North Atlantic swordfish to carry over unused quota from year to year and to subtract quota overages from the following year's quota. This arrangement improved the inequities associated with the 1994 swordfish agreement by increasing the U.S. share to a level consistent with past harvests (29 percent of total harvest). In an effort to address the problems associated with the minimum size tolerance and to protect small swordfish, the Commission also adopted a U.S. proposal allowing Contracting Parties to select an alternative swordfish minimum size of 119 cm from the tip of the lower jaw to the fork of the tail, or the equivalent in weight, with no tolerance. Contracting Parties that adopt this alternative minimum size may take the necessary measures to prohibit the landing and sale in their jurisdiction of swordfish and swordfish parts below the alternative minimum size. With regard to swordfish stock recovery, the Commission tasked the SCRS to develop at its 1996 meeting, options for swordfish stock recovery. Specifically, it asked the SCRS to evaluate one or more series of annual total allowable catches that will bring the stocks to levels that would support MSY within 5, 10, and 15 years, with a 50 percent probability. An ICCAT Swordfish Action Plan was also adopted at the 1995 meeting. Further discussion of this plan can be found in the PWG section of this chapter. The 1994 measures for South Atlantic swordfish were extended for 1995 and 1996.

In its 1996 report, the SCRS noted that catches of North Atlantic swordfish in 1995 were considerably higher than the established 1995 TAC of approximately 13,800 mt. North Atlantic swordfish was estimated to be at 58 percent of the level that would produce MSY, and replacement yield was estimated to be 11,360 MT. To address the apparent stock decline, ICCAT established the following TACs for North Atlantic swordfish at its 1996 meeting: 11,300 mt for 1997, 11,000 mt for 1998, and 10,700 mt for 1999. Further, to address compliance issues for this swordfish stock, each of the 3 years covered by the quota agreement are to be considered a separate management period as defined in the recommendation on compliance adopted at the 1996 ICCAT meeting and refined at the 1998 ICCAT meeting. This will facilitate the application of the provisions of the compliance recommendation. The distribution of the North Atlantic swordfish TAC for the 1997-99 management periods was as follows:

	1997	1998	1999
U.S.	3277.00	3190.00	3103.00
Canada	1130.00	1100.00	1070.00
Japan	706.25	687.50	668.75
Portugal	847.50	825.00	802.50
Spain	4661.25	4537.50	4413.75
Others	678.00	660.00	642.00

A supplemental management measure adopted by the Commission in 1997 specified that parties without specific quotas under the 1996 scheme should reduce their catch for 1998 and 1999 by 45 percent of their 1996 catch levels; that those with 1996 catch levels below 100 mt shall not increase their catch above their 1996 level; that parties

without any reported catch in 1996 refrain from developing any directed swordfish fishery in the North Atlantic in 1998 and 1999; and that Bermuda be allocated 28 mt for 1997 that will be decreased during 1998 and 1999 according to the provisions of the 1996 TAC agreement for North Atlantic swordfish.

There was not sufficient time to deal with the issues and concerns raised at the 1996 ICCAT meeting regarding South Atlantic swordfish; therefore, the Parties agreed to meet intersessionally in 1997. In the meantime, the management measures for South Atlantic swordfish originally established in 1994 were extended through 1997.

Pursuant to an agreement reached in Brazil in 1997 at an informal meeting of ICCAT's Panel 4, ICCAT adopted a recommendation at its 1997 annual meeting that established a TAC of 14,620 mt for the South Atlantic swordfish stock. This agreement also set up a sharing arrangement and specified catch quotas for 1998-2000. The percentage shares for the 3-year period beginning in 1998 for South Atlantic swordfish were as follows:

Brazil	16.00 %
Japan	25.75 %
Spain	40.00 %
Uruguay	4.75 %
Other Contracting Parties	5.50 %
Non-Contracting Parties	8.00 %

It was further agreed that "Other Contracting Parties" as referred to above (which includes the United States) should not increase their catches above the catch of recent years and the TAC for the year 2000 may be revised following

the 1999 Atlantic swordfish stock assessment. At its 1999 meeting, ICCAT did not alter the 2000 TAC.

Both the sharing arrangement and the TAC for the South Atlantic stock of swordfish were reviewed by ICCAT at its 2000 meeting. While this stock is significantly healthier than a number of other ICCAT species, the target TAC for 2001 was set at 14,620 mt, which is above the level that would produce maximum sustainable yield (13,650 mt). Moreover, unlike past years, no member specific quotas could be agreed for this fishery. Instead, parties were encouraged to set precautionary catch limits for 2001 such that the TAC target would not be exceeded. All parties were required to notify ICCAT of their catch limit by the end of 2000. A majority of countries have complied with this reporting requirement. Unfortunately, if parties harvest what they have indicated, the target TAC will be exceeded by approximately 50 percent. Lack of agreement on allocation criteria was a serious impediment to making conservation progress for this (and other) stocks at the 2000 ICCAT meeting.

At its 1998 meeting, ICCAT adopted a U.S. resolution tasking the SCRS to develop rebuilding scenarios for the heavily stressed Atlantic swordfish stocks. Among other things, the SCRS was to estimate a series of annual TACs, including dead discards, that are necessary to rebuild to biomass levels that would support MSY with a probability greater than 50 percent within various time periods, including of 5, 10, and 15 years. These analyses were used by ICCAT at its 1999 meeting, during which ICCAT parties committed to rebuild North Atlantic swordfish to the biomass that will produce MSY within 10 years, with a greater than 50 percent probability. The swordfish agreement establishes 3 years of progressively smaller TACs that are inclusive of dead discards (10,600 mt for 2000, 10,500 mt for 2001 and 10,400 mt for 2002). The allowance for dead discards is 400 mt for 2000, 300 mt for 2001 and 200 mt for 2002. The dead discard allowance is taken off the TAC before it is allocated, thus, the catch that can be retained in each of the next three years is 10,200 mt. This retainable catch limit will be allocated according to the 1996 sharing arrangement, as modified in 1999. The U.S. share under this scheme is 29 percent. Canada's share is 10 percent. The EC received 49.85 percent (which represents a 1.1 percent increase to account for its members that were previously harvesting under the "Others" category). The allocation to Japan was 6.25 percent and "Others" receive 4.9 percent (this category was reduced 1.1 percent to account for the increase in the EC allocation). The UK (in respect of its overseas territories) was allocated a quota of 24 mt for each of the next 3 years.

The distribution of the allowance of dead discards is 80 percent for the United States and 20 percent for Canada. If the United States or Canada exceeds their respective dead discard allowances, the amount in excess must be deducted from the catch allocation of that country for the following year. If the United States or Canada has fewer dead discards than provided for in the allowance, the difference will be added to the total catch that can be retained (i.e., 10,200 mt) and redistributed to all parties according to the adjusted sharing arrangement. The rebuilding program calls for a complete phase out of dead discards by the United States and Canada by 2004.

Because of the incidental nature of Japan's swordfish harvests, Japan was originally given a "management period" of 5 years (1997-2001) within which to comply with its cumulative quota over that time period. The rebuilding program specified that Japan's landings would be comprehensively reviewed in 2000 and that, pending a satisfactory outcome, Japan may be provided with another 5 year management period. Application of any overharvest from Japan's first 5 year management period to the second 5 year period is provided for in the rebuilding program. The management period to assess compliance for all other parties is one year.

Japan reported during the 2000 ICCAT meeting that it had seriously exceeded its North Atlantic swordfish quotas for the last few years. Swordfish are a non-target species taken in Japan's bigeye tuna fishery. Because of concerns for the integrity of the ten year swordfish rebuilding program adopted by ICCAT in 1999 and given the recent underharvest by the United States of its North Atlantic swordfish quota, the United States agreed to assist Japan in addressing its swordfish overharvest. Specifically, a measure was adopted in 2000 that, among other

things, will allow Japan access to 400 mt of unused U.S. quota for 2001 only. The goodwill generated by the sacrifice made by the U.S. longline industry assisted the United States in advancing its agenda on other important issues. Other aspects of the swordfish measure include: (1) providing Japan flexibility to count up to 400 mt of its 2002 swordfish catch taken from a certain part of the North Atlantic against its uncaught South Atlantic swordfish quota, with 1 mt of catch taken in the specified area counted as 2 mt of southern swordfish quota; (2) requiring Japan to have 5 percent observer coverage on its vessels operating in the North Atlantic in 2001 and to endeavor to increase that coverage to 10 percent for 2002; (3) requiring Japan to conduct research on the stock structure of Atlantic swordfish; and (4) reviewing Japan's catch in both 2001 and 2002 to assess its progress toward compliance.

In addition to the rebuilding plan, ICCAT adopted a measure at its 1999 meeting directing the SCRS to analyze and identify possible time/area closures to improve the conservation of juvenile swordfish. This measure also requests that studies be undertaken to determine whether longline gear modifications can reduce catches of undersized swordfish. A Japanese proposal was also adopted that calls on parties to support research that will clarify the stock structure and boundaries of Atlantic swordfish. SCRS is to consider the results of this research at its next swordfish assessment, scheduled for 2002.

With respect to the Mediterranean stock of swordfish, the Commission adopted a measure at its 2000 meeting requesting the SCRS to present a report on the possible measures to protect juvenile Mediterranean swordfish before the 2001 ICCAT meeting. Little is known about the Mediterranean stock of swordfish and no management measures are in place at this time.

Billfishes: At its 1995 meeting, the Commission adopted a resolution focusing on the enhancement of research programs for billfish and calling for voluntary release or tag and release by commercial as well as recreational fishermen. In 1996, the Commission passed a resolution to encourage actions to facilitate the recovery of billfishes. The resolution called for promotion of the use of monofilament leaders to avoid hindering the live release of billfishes; to report at the 1997 ICCAT meeting on costs and benefits of using monofilament leaders; and to improve catch statistics and information about post-release mortality of billfishes released live from commercial and recreational fisheries in order to develop a recovery program for billfishes. The Commission also agreed that funds allocated for the tagging work associated with the bluefin year program would also provide for implementation of the SCRS-proposed billfish tagging program.

At its 1997 meeting, the Commission adopted the first mandatory conservation measures for Atlantic blue marlin and white marlin. The recommendation required all ICCAT Contracting and non-Contracting Parties, starting in 1998, to reduce landings for each of these species by at least 25 percent from 1996 landings. This reduction was to be accomplished by the end of 1999. The recommendation further: (1) required Parties to promotes the voluntary live release of these species; (2) called for the provision of information to ICCAT regarding measures in place to reduce landings or fishing effort in all fisheries that interact with marlins; (3) called for the submission of base data to the SCRS; (4) called for SCRS stock assessments for these stocks to be presented and reviewed at the 1999 Commission meeting; and (5) exempted small-scale artisanal fisheries from the above requirements.

Because ICCAT agreed at its 1998 meeting to postpone the blue marlin and white marlin assessment until the year 2000 in order to assess the effectiveness of the 1997 ICCAT marlin recommendation, ICCAT extended the 1997 management measure through 2000. Thus, the landings cap achieved by the end of 1999 was to be continued through 2000. In addition, ICCAT directed SCRS to conduct assessments of western Atlantic and eastern Atlantic sailfish in 2001 and to develop stock recovery scenarios for all billfish species that are identified as over-exploited, if possible.

At its 2000 meeting, the Commission adopted a two-phase plan to rebuild severely depleted populations of Atlantic blue marlin and white marlin. Phase one of the rebuilding plan requires countries to reduce white marlin landings by 67 percent and blue marlin landings by 50 percent from 1999 levels through the release of all live marlins taken as bycatch in commercial fisheries. The United States agreed to limit annual landings by recreational fishermen to 250 marlin and to maintain regulations that prohibit retention of marlins on U.S. longline vessels. Phase one of the plan also encourages countries to set minimum sizes for marlins taken in recreational fisheries. In phase two of the program, ICCAT will reassess the status of the billfish stocks and develop specific timetables to rebuild the stocks to levels that will support maximum sustainable yield. At such time, additional landings restrictions or alternative management measures such as fishing gear modifications or time and area closures may be applied.

Other Species: No management measures are in place for Atlantic bonito or other Panel 4 species.

Permanent Working Group:

Bluefin Tuna Statistical Document (BSD) Program: The BSD program was established in the early 1990s. It requires the use of an ICCAT-accepted reporting system to monitor trade in fresh and frozen bluefin tuna. It was intended to improve the reliability of statistical information on catches of over-exploited Atlantic bluefin tuna stocks, particularly as regards non-Contracting Parties--since some of these nations do not provide catch data to ICCAT. The program provides information on the flag state and name of the harvesting vessel, the location of harvest, the point of export, a description of the fish in the shipment and the like. In addition, the document must be validated by a government official of the flag state of the vessel that harvested the tuna unless the very specific criteria that allow for exemption of the government validation requirement are met. Various recommendations updating the BSD program have been adopted since the initial program was established.

Bluefin Tuna Action Plan Resolution: As noted earlier, the Commission adopted the Bluefin Tuna Action Plan Resolution in 1994 in order to promote cooperation with ICCAT conservation measures. The plan established a mechanism that could lead to the use of multilateral trade measures against parties deemed to diminish the effectiveness of the ICCAT conservation measures for bluefin tuna. This was the first time such a mechanism had been adopted within an international fisheries management organization.

At its 1995 annual meeting, ICCAT took a step toward a possible recommendation of trade measures by identifying Belize, Honduras, and Panama as nations with vessels fishing in a manner that diminishes the effectiveness of ICCAT's conservation measures for bluefin tuna. Trade data obtained from ICCAT's BSD program and vessel sighting information indicated that non-Contracting Party vessels were fishing in the Mediterranean for bluefin tuna, including fishing on the Mediterranean spawning grounds during the closed season, although these countries reported no bluefin tuna catches to ICCAT.

During its 1996 meeting, the Commission agreed that Belize, Honduras, and Panama had not rectified the fishing practices of their vessels. Therefore, in accordance with the Bluefin Tuna Action Plan Resolution, the Commission recommended its members to take measures to the effect that the import of Atlantic bluefin tuna products in any form from these three countries be prohibited. In the cases of Belize and Honduras, ICCAT recommended that the prohibitions begin when the recommendation entered into force. In the case of Panama, the effective date of the prohibition was January 1, 1998, unless the Commission decided otherwise at its 1997 meeting. The trade measures against Panama were to take effect at a later date because Panama demonstrated what the Commission viewed as a sincere desire to rectify the fishing practices of its vessels. These recommendations for multilateral trade restrictive measures represented the first time that such measures had been authorized by an international fishery management organization to ensure cooperation with agreed conservation and management measures.

The Commission also reviewed the fishing activities of other non-Contracting Parties as called for by the Bluefin Tuna Action Plan Resolution. While information was insufficient to identify any nation, the Commission agreed to send letters to several non-members expressing concern about the status of bluefin stocks in the Eastern Atlantic and
Mediterranean Sea, and encouraging increased cooperation with ICCAT. The Commission also expressed grave concern about the large number of vessels sighted in the Mediterranean that fly no flag and have no other markings of identification.

At its 1997 meeting, the Commission agreed to continue trade restrictive measures on Atlantic bluefin tuna from Belize and Honduras and to include Panama in these embargoes starting on January 1, 1998, as scheduled. These decisions were based on the lack of response by Belize and Honduras to letters from the Commission and on information that fishing activities by vessels of these countries continued. Although the similar letter to Panama did
receive a response and Panama sent an observer to the 1997 meeting, it was agreed that Panama's stated actions were not yet proven and that further review by ICCAT at its 1998 meeting would be required. No other countries were identified under the ICCAT Atlantic Bluefin Tuna Action Plan Resolution.

At the 1998 meeting of ICCAT, the Commission again reviewed the fishing activities of Belize, Panama, and Honduras. ICCAT agreed to continue trade measures for reasons very similar to those previously discussed. It was noted that Panama had taken additional steps to address ICCAT's concerns but that Panama still did not have sufficient control of its fleet. ICCAT also agreed to send a letter to Guinea Bissau expressing concern over the bluefin tuna fishing activities of vessels of that nation. Additionally, ICCAT took note that the Secretariat had sent a letter to the Philippines based on information that at least one vessel of the Philippines was sighted in the Mediterranean during the 1998 closed season.

In reviewing available information on bluefin tuna fishing activities of non-members at its 1999 meeting, ICCAT noted that fishing activity attributable to the vessels of both Belize and Honduras continued in the Convention area and that no substantive responses had been received from either country, although repeated attempts by the Commission to seek information and cooperation had been made. Thus, it was decided that the non-discriminatory, trade restrictive measures in force since 1997 on bluefin tuna products from these countries should continue.
(The fishing activities and compliance issues relative to Panama, a new ICCAT member, were referred to the Compliance Committee.) Further, ICCAT agreed that a letter of identification should be sent to the Philippines based on evidence that vessels flying the flag of the Philippines were operating in the Convention area in a manner that diminishes the effectiveness of the ICCAT bluefin tuna conservation program. It was noted that no substantive information had been provided by the Philippines regarding the activities of these vessels and that no efforts had been made to rectify the situation. In addition, it was agreed that letters should be sent to Turkey, Denmark (on

behalf of the Faroe Islands), and Iceland requesting information on the bluefin tuna fishing activities of vessels from these countries. It was also agreed that a letter should also be sent to Sierra Leone requesting continued cooperation with regard to one of its vessels that appears to be fishing for ICCAT species.

At its 2000 meeting, the Commission maintained previously agreed trade restrictions against Belize and Honduras relative to bluefin tuna. Iceland and Denmark (in respect of the Faroe Islands) will receive very strong warning letters concerning their bluefin tuna fishing activities. The Commission is poised to identify these two countries under its bluefin tuna action plan resolution in 2001 if they do not rectify their fishing practices. Such

identification could lead to trade restrictive action in 2002. Turkey, Malta, and Norway will receive letters from ICCAT in 2001 seeking cooperation, including requesting information on their bluefin tuna fisheries. Particularly in the cases of Turkey and Malta, the letters clearly warn of the possibility of trade actions if their vessels are found in the future to be diminishing the effectiveness of ICCAT. These letters also encourage all three countries to join the Commission given their interest in ICCAT stocks.

Swordfish Action Plan Resolution: In 1995, ICCAT adopted the Swordfish Action Plan Resolution, similar in principle to the Bluefin Action Plan Resolution in that it provides a mechanism that could lead to multilateral trade measures against non-member countries deemed to diminish the effectiveness of ICCAT conservation measures for swordfish. This resolution was adopted because of the declining status of swordfish stocks in the Atlantic and increasing catches by non-Contracting Parties. At its 1996 meeting, the Commission reviewed data on non-Contracting Party fishing activities for swordfish but determined that the available information was insufficient to identify any nation. However, the Commission did approve a letter to be sent to Trinidad and Tobago expressing concern over that nation's fishing activities for swordfish.

At its 1997 meeting, the Commission reviewed catch, trade, and sighting information relative to swordfishing activities. While no countries were identified pursuant to the Swordfish Action Plan, the Commission expressed concern about the fishing activities of several non-members, including Panama, Belize, and Honduras, and sent letters to each reflecting those concerns.

At its 1998 meeting, ICCAT agreed to send letters to a number of non-members concerning harvests of ICCAT species and, more importantly, formally identified Panama, Honduras, and Belize under the first step of the swordfish action plan. In 1999, the Commission reviewed trade and sighting information relating to the fishing activities of vessels of non-members, including Honduras and Belize. (The fishing activities and compliance issues relative to Panama, a new ICCAT member, were referred to the Compliance Committee.) Available information indicated that vessels of Belize and Honduras continued to operate in the Convention area and that no substantive responses had been received from either country--although repeated attempts by the Commission to seek information and cooperation had been made. Thus, ICCAT recommended that its members prohibit the import of Atlantic swordfish and swordfish products from Belize and Honduras upon entry into force of the recommendation (summer 2000). In addition, the Commission identified Singapore based on evidence that vessels flying the flag of Singapore have been fishing for Atlantic swordfish in a manner that diminishes the effectiveness of the ICCAT swordfish conservation program. In making the identification, ICCAT noted that no substantive information had been provided by Singapore regarding the activities of these vessels, although this information had been requested by the Commission after the 1998 ICCAT meeting, and that no efforts had been made to rectify the situation. ICCAT also agreed to send letters of warning to Vanuatu and Kenya relative to the swordfish fishing activities of their vessels, and a letter to Barbados seeking clarification of the fishing practices of its vessels.

At its 2000 meeting, the Commission maintained previously agreed trade restrictions against Belize and Honduras relative to swordfish. Further, the Commission identified Vanuatu under its swordfish action plan resolution, setting the stage for adoption of swordfish trade restrictions against that country at the 2001 ICCAT meeting if Vanuatu has not rectified the fishing practices of its vessels by that time. In addition, ICCAT will send letters to Argentina, Barbados, Iceland, Liberia, Mozambique, Grenada, and the Netherlands Antilles seeking cooperation from these countries, including requesting information on the swordfish harvests of their vessels. They also imply that trade action could be contemplated by the Commission if the fishing practices of the vessels of these countries are found in the future to be diminishing the effectiveness of ICCAT. Further, the letters encourage these countries to join the Commission given their interest in ICCAT stocks.

Actions Related to Unregulated and Unreported Fishing: In a significant action, ICCAT adopted the “Resolution

Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area" at its 1998 meeting. This measure is designed to help address the problems associated with unreported and unregulated catches of tunas by large-scale longline vessels, partly in recognition of the problems associated with so-called "flag of convenience" vessels. The resolution establishes a process for identifying both ICCAT members and non-members whose large-scale longline vessels have been fishing for ICCAT species in a manner which diminishes the effectiveness of the Commission's conservation and management measures. Specifically, the resolution requests parties that import or land frozen tunas and tuna-like fish products, to collect import or landing data and associated information, and submit that information to ICCAT each year for review. Based on this and other information, ICCAT can "identify" countries as mentioned above. Identified countries are requested to take all necessary measures so as not to diminish the effectiveness of ICCAT including, if appropriate, the revocation of vessel registration or fishing licenses of the large scale longline vessels concerned. In situations where identified parties fail to take appropriate actions as requested, the Commission will recommend effective measures, including non-discriminatory trade restrictive measures, to prevent the large-scale longline vessels of identified countries from continuing fishing operations for tuna and tuna-like species in a manner that diminishes the effectiveness of relevant ICCAT conservation measures.

In 1999, the Commission identified a number of non-members pursuant to the unregulated/unreported catches resolution for the first time. Based on trade data and other information provided by ICCAT members, the Commission identified Belize, Cambodia, Honduras, Kenya, the Philippines, Sierra Leone, Singapore, and St. Vincent and the Grenadines under the above resolution and requested that these countries take all necessary measures to ensure that their large-scale longline vessels cease fishing operations for tuna and tuna-like species in a manner that diminishes relevant ICCAT conservation measures. (For actions taken relative to ICCAT members, see the Compliance Committee section.)

At its 2000 meeting, the Commission agreed to require its members to ban the import of bigeye tuna from non-members Belize, Honduras, Cambodia, and St. Vincent and the Grenadines, and ICCAT member Equatorial Guinea. In recognition that Honduras is making efforts to address ICCAT's concerns, the Commission agreed to delay implementation of the bigeye tuna trade restrictions until January 2002, to allow ICCAT time to review this decision in light of new information.

At its 1999 meeting, ICCAT adopted a proposal calling for further actions against illegal, unregulated and unreported (IUU) fishing activities by large-scale longline vessels in the Convention area and other areas. This non-binding measure calls on parties to ensure that their large-scale longline vessels do not carry out IUU fishing activities. It also encourages parties to take every possible action, consistent with relevant laws, to urge their importers, transporters and others to refrain from engaging in transaction and transshipment of ICCAT species caught by vessels involved in IUU fishing activities; to inform their citizens of IUU activities and urge them not to buy fish harvested by IUU vessels; and to urge concerned business people to prevent their vessels/equipment from being used in IUU fishing operations. The measure also praises Taiwan for its efforts to control IUU fishing and urges Taiwan to continue this effort. Finally, the measure urges Japan and Taiwan to cooperate in scrapping Japan-built vessels engaged in IUU fishing activities.

At its 2000 meeting, the Commission adopted a measure that recognizes and encourages the actions being taken by Japan and Chinese Taipei to scrap Japanese-built IUU vessels and actions being taken by Chinese Taipei to re-register and control a number of vessels owned by Chinese Taipei business entities that have been engaged in IUU fishing activities. Additionally, ICCAT adopted a measure that will require all parties to submit a list of their vessels greater than 24 meters in length overall that are licensed to fish for ICCAT species. Such a "white" list should assist in the identification of vessels conducting illegal, unregulated, and unreported fishing activities.

Cooperating Parties: ICCAT adopted resolutions in 1994 and 1997 that established a process and requirements for obtaining cooperating status in ICCAT. Granting such status helps ICCAT expand and improve its control over the fisheries under its purview. Letters were sent to all non-members regarding becoming a cooperating party. In 1998, ICCAT approved formal requests by Mexico and Taiwan to be granted cooperating status. In 1999, the Commission agreed to maintain cooperating status for both parties. In its decision to confer such cooperating status, ICCAT clearly articulated that cooperating countries/economies must agree to abide by all ICCAT recommendations and that formal quota allocations are made only to ICCAT members. Further, ICCAT encouraged Mexico to join the Commission. With regard to Taiwan, the Commission underscored the need for Taiwan to continue and to strengthen its efforts to control IUU vessels owned and operated by Taiwan business entities. A letter was sent to both Mexico and Taiwan notifying them of the Commission's decision to confer cooperating status and citing some of the rights and obligations afforded by this status. No other applications for cooperating status were received in 1999.

In 2000, ICCAT received requests for cooperating status from Mexico, Chinese Taipei, and the Philippines. The Commission agreed to maintain cooperating status for Chinese Taipei and Mexico. The Philippines was also granted cooperating status for 2001. This decision was difficult given concerns about recent fishery development and fleet expansion by the Philippines. Also troublesome was the apparent flagging by the Philippines of suspected IUU fishing vessels. (ICCAT had identified the Philippines in 1999 under its 1998 unregulated/unreported catches resolution –see above.) The Philippines, however, agreed to reduce substantially the number of vessels permitted to fish for pelagic species in the Atlantic and to de-register problem fishing vessels. The Philippines is also reporting is catches to ICCAT.

ICCAT will send a letter to those parties that were granted cooperating status for 2001 that notes the obligations associated with such status. Additionally, Chinese Taipei proposed that it be allowed automatic renewal of its cooperating status. In support of its request, Chinese Taipei noted its high and continuing level of cooperation with ICCAT and its unique political status which precludes it from joining the Commission. Consideration of this proposal was deferred until the 2001 Commission meeting at the request of China.

Other Actions: In an effort to improve ICCAT statistics, the Commission adopted at its 1999 meeting a resolution on improving recreational fishery statistics that calls on parties to provide to the SCRS specific data relating to recreational fisheries. Beginning in 2000, parties are also required to include a discussion of such data in their annual national report. In the future, SCRS will carry out an examination of the extent and impact of recreational fisheries on Atlantic tunas and tuna-like species.

In another significant action, the Commission agreed at its 2000 meeting to develop statistical document programs for swordfish and bigeye tuna. As with the bluefin tuna statistical document program, the new programs will monitor harvest and trade in these species. The data collected will improve scientific stock assessments and enhance the ability of ICCAT to develop effective conservation measures. A meeting of technical experts will be convened prior to the November 2001 ICCAT meeting to resolve issues relating to the implementation of the programs. The target date for full implementation is January 1, 2002.

Other measures adopted by ICCAT that remain in effect include: (1) a recommendation that Contracting Party fishing vessels and mother vessels can only receive at sea transshipments from other Contracting Party vessels and cooperating parties (adopted in 1997); (2) a recommendation establishing a process for reporting and taking action against stateless vessels and for reporting observed possible violations by both non-Contracting and Contracting Parties (adopted in 1997); (3) a recommendation that prohibits landing and transshipment in ICCAT member ports by non-members under certain conditions (adopted in 1998); and (4) a recommendation to address attribution of catch classified as not-elsewhere included (NEI) to the catch data (Task 1) of the appropriate ICCAT member or

non-member (adopted in 1997).

Compliance Committee: At the 1995 meeting, the Commission adopted new terms of reference for its Compliance (then Infractions) Committee that strengthened the Committee's ability to evaluate compliance by Contracting Parties. These terms of reference allow the Committee to make recommendations to the Commission on how to resolve problems of non-compliance by Contracting Parties and provide for the development of measures to ensure proper application of Convention provisions, including the development of international inspection and enforcement schemes.

At its 1996 meeting, ICCAT made international fisheries management history by adopting a recommendation on Contracting Party compliance relative to quotas that are established for the Atlantic bluefin tuna fishery and the North Atlantic swordfish fishery. The measure provides a process for members to first explain how over harvests for the subject species occurred and the actions taken or to be taken to prevent further over harvests. Beginning with the 1997 management period, and in each subsequent management period, members will have to repay 100 percent of any over harvests of these stocks, and ICCAT may recommend other appropriate actions. Further, over harvests of bluefin tuna or of North Atlantic swordfish quotas during two consecutive management periods can result in other penalties, including quota reductions of at least 125 percent of the over harvest and, as a last resort, trade restrictive measures. At its 1997 meeting, the Commission agreed to extend the compliance agreement to the South Atlantic swordfish fishery. Application of these measures was clarified at the 1998 ICCAT meeting.

Prior to the entry into force of the recommendation extending the compliance agreement to the South Atlantic swordfish fishery, Brazil, Uruguay, and South Africa formally objected to the measure. These Governments expressed concern over the possible use of trade measures to encourage compliance with ICCAT measures and with the South Atlantic swordfish quota sharing arrangement. According to the terms of the Convention, these nations are not bound by the provisions of the compliance agreement as they apply to the South Atlantic swordfish stock.

Minimum size compliance relative to all ICCAT species has been an issue for several years. Effective implementation of existing recommendations by many countries fishing in the eastern Atlantic and Mediterranean has not occurred for a variety of reasons. At the 1997 meeting, an agreement was reached that requires Contracting Parties to explain in detail minimum size over harvests and provides that, beginning in 2000, continued over harvests could result in ICCAT actions to reduce those over harvests, including but not limited to, time/area closures, assignment of small fish quotas, and/or gear restrictions.

At the 1998 ICCAT meeting, progress was made in implementing the 1996 compliance recommendation (regarding bluefin tuna and swordfish catch limits). Consistent with the provisions of the agreement, Spain and Portugal reported that they had reduced their 1998 North Atlantic swordfish quotas by the amount of their 1997 over harvests. As noted in the eastern Atlantic and Mediterranean bluefin tuna section above, harvesters of this stock took a similar action by agreeing to reduce their 1999 quotas by the amount of their 1997 catch limit over harvests. ICCAT also adopted at its 1998 meeting a U.S.-proposed reporting form that was intended to facilitate the evaluation in the future of compliance with ICCAT measures.

At the 1999 ICCAT meeting, additional progress was made in implementing the various compliance recommendations, including submission of reporting tables, although conflicting interpretations of some ICCAT measures made implementation of compliance recommendations difficult at times. Several countries reported quota overharvests and quota reductions were expected. ICCAT took note of the particular difficulty in assessing compliance with minimum size measures for some countries because of the lack of data. After extensive discussion, ICCAT members reached agreement that the data included in the ICCAT reporting tables adopted in

1998 would be used to assess compliance and that SCRS data will be used for compliance purposes only if a country does not submit reporting tables. Regarding quotas, ICCAT will develop a "Compliance Annex" from reporting tables and, once agreed, will serve as the official record of overharvests and subsequent penalties to be deducted by ICCAT members in cases of non-compliance.

The 2000 ICCAT meeting also saw delays in the submission of compliance tables. Once reported, some members altered their compliance data one or more times during the ICCAT meeting without explanation. Moreover, it became increasingly apparent that there are fundamental differences in interpretation of both ICCAT's conservation and management measures as well as its compliance rules. As a result of the difficulties encountered in the Compliance Committee, some parties could not accept the draft summary table of future harvesting obligations developed at the 2000 ICCAT meeting. To help address some of the concerns with the compliance process, the Commission adopted a U.S. proposal to establish a working group that will meet each year prior to the ICCAT meeting to develop a summary compliance table. In addition, a recommendation was adopted to simplify rules regarding the application of quota over- and under-harvests.

Trade Actions: At its 1999 meeting, ICCAT authorized its members to take trade restrictive measures against one of its members. This is the first time such action has been agreed against a Contracting Party. The binding recommendation requires that ICCAT members prohibit the import of bluefin tuna from Equatorial Guinea pursuant to the terms of ICCAT's compliance recommendation regarding bluefin tuna and swordfish quotas. This action was agreed given the fact that Equatorial Guinea does not have a quota for either stock of bluefin tuna, does not report catch data to the Commission, and has not taken any steps the address concerns expressed by ICCAT in repeated communications. At this same meeting, ICCAT recognized Panama's new status as a Contracting Party and its notable and continuing efforts to control its fleet. A recommendation was adopted that lifts the import prohibition placed on bluefin tuna products from Panama that had been imposed under the Bluefin Tuna Action Plan in 1998. Panama's future compliance will be carefully evaluated under existing compliance agreements.

Actions Related to Unreported and Unregulated Fishing: In 1999, for the first time, the Commission identified ICCAT members pursuant to its "Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area," adopted in 1998. (For a description of this resolution, see the PWG section above.) Upon review of relevant information, the Commission identified three Contracting Parties (Equatorial Guinea, Republic of Guinea, and Trinidad and Tobago) as nations whose large-scale longline vessels have been fishing for ICCAT species in a manner that diminishes the effectiveness of relevant ICCAT conservation and management measures. ICCAT requested that these countries take all necessary measures to ensure that their large-scale longline vessels cease fishing operations for tuna and tuna-like species in a manner that diminishes relevant ICCAT conservation measures. The Commission considered at its 2000 meeting whether or not to recommend that trade restrictive measures be placed against any of these three ICCAT members and adopted a measure that requires its members to ban the import of bigeye tuna from Equatorial Guinea. (For actions taken under the unregulated/unreported catches resolution relative to non-members, see PWG section.)

Monitoring and Inspection: During its 1996 meeting, ICCAT agreed to begin looking at a comprehensive international monitoring and inspection scheme that could include elements such as inspections at sea, observers, a vessel monitoring system, port inspections, and vessel sightings reports. ICCAT adopted a scheme for at-sea inspection in 1975, but it has not yet entered into force. In addition, ICCAT had in place a port inspection scheme but it had not been an effective monitoring tool. While no recommendations were made to the Commission regarding preferred approaches, it was agreed that the Commission would hold an intersessional meeting on this topic May 5-7, 1997. The meeting was hosted by the United States. The May 1997 intersessional meeting on monitoring and compliance concluded negotiations with agreement on an improved ICCAT port inspection scheme, a vessel monitoring system (VMS) pilot program, restrictions on transshipment at sea, and procedures to

deal with stateless vessels and for reporting vessels that may be conducting activities contrary to ICCAT conservation and management measures. These measures were adopted at the 1997 annual meeting of the Commission.

At its 2000 meeting, the Commission also agreed to hold an intersessional meeting from May 17-18, 2001, in Brussels, Belgium, to continue development of an integrated scheme that will facilitate fishery monitoring and control by ICCAT members. In support of this meeting, ICCAT adopted a resolution concerning preparation of a management standard for the large-scale tuna fishery that encourages relevant parties to consider a variety of approaches for monitoring and controlling large-scale tuna vessels.

Other Issues:

At the 1994 ICCAT meeting, Parties agreed to expand the Commission's research activities to include collection of bycatch statistics in tuna fisheries, including shark bycatch. The SCRS established a group to do this which concluded that information on shark bycatch was insufficient. The SCRS then recommended that efforts be undertaken to estimate bycatch for incorporation into ICCAT's statistical databases and to obtain more empirical evidence, such as through a scientific observer program. The Commission adopted a resolution in 1995 encouraging cooperation with FAO on the study of shark stock status and bycatch. ICCAT's Shark Working Group met in 1996 and 1997 to improve statistical information on sharks taken as bycatch in the ICCAT Convention area. In 2000, the SCRS Sub-Committee on Bycatch recommended that ICCAT take the lead in conducting stock assessments for Atlantic blue, porbeagle, and mako sharks and that the initial stock assessment evaluations should be scheduled for 2002. To undertake this work, parties were requested to provide total catches and landings (including dead discards) of and other relevant data related to these three species.

In a significant development, the United States was successful in improving the transparency of ICCAT by getting agreement at the 1998 meeting on meaningful changes to the Commission’s guidelines and criteria for granting observer status at ICCAT meetings. Among other things, these changes resulted in lower participation fees. Representatives from several non-governmental organization participated in the 1999 ICCAT meeting representing their organizations at an ICCAT meeting for the first time. The 2000 meeting saw a continuation of this participation.

Also at the 1998 meeting, ICCAT agreed, at the urging of several developing coastal states, to establish a working group to examine criteria for quota allocations. A meeting of this working group was held May 31-June 2 in Madrid, Spain. The working group made progress on the issue and three proposals were developed for consideration. ICCAT convened a second meeting of the working group on April 6-8, 2000, in Madrid, Spain, but little additional progress was made. Lack of progress in the allocation criteria development process over the last two years limited, at least in part, the ability of ICCAT to achieve long-term, meaningful conservation measures in 2000 for several important fisheries, such as eastern bluefin tuna and South Atlantic swordfish. As noted above, many of the quota management measures agreed at the 2000 ICCAT meeting will apply for only one year (2001). This will require negotiation of quota sharing arrangements and TACs for a large number of ICCAT stocks at the 2001 Commission meeting. The Commission decided that its Working Group on Allocation Criteria would meet for a third time in Brussels, Belgium, from May 21-23, 2001, in an effort to finalize criteria that should be taken into account when making quota allocations. Significant progress must be made at that meeting to help the Commission avoid in the 2001 and future meetings the difficulties encountered at the 2000 ICCAT meeting.

At its 1999 meeting, ICCAT adopted a “Resolution on the Need for New Approaches to Deter Activities that Diminish the Effectiveness of ICCAT Conservation and Management Measures.” This non-binding measure proposed that ICCAT Contracting Parties, Non-Contracting Parties, Entities and Fishing Entities consider new

measures and approaches to address fishing activities that diminish the effectiveness of ICCAT measures beyond those that have been adopted by ICCAT to date. It included provisions (1) endorsing the FAO initiative to develop an International Plan of Action (IPOA) on IUU fishing and encouraging all parties to participate in this undertaking; (2) encouraging all ICCAT members who have not yet done so to consider ratifying/acceding or accepting the 1995 UN Fish Stocks Agreement and 1993 FAO Compliance Agreement; and calling upon all parties to participate in efforts to ensure the sustainability of marine living resources in the ICCAT Convention area, as called for by the FAO IPOA for the Management of Fishing Capacity. At the 1999 meeting, the Commission also adopted a non-binding measure endorsing the FAO IPOA on the Management of Fishing Capacity and attaching a high priority to its implementation.

The Thirteenth Special Meeting of the Commission will be held October 28 - November 4, 2002, in Bilbao, Spain. The plenary meeting of the SCRS is scheduled for September 30 - October 4, 2002, in Madrid, Spain.

Staff Contacts

NOAA Fisheries:

Kimberly Blankenbeker
International Fisheries Division (F/SF4)
Office of Sustainable Fisheries
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13114
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: Kimberly.Blankenbeker@NOAA.gov

Dr. Christopher Rogers, Chief
Highly Migratory Species Management Division (F/SF1)
Office of Sustainable Fisheries
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13458
Silver Spring, MD 20910
Telephone: (301) 713-2347
Fax: (301) 713-1917
E-mail: Christopher.Rogers@NOAA.gov

Department of State:

Deirdre Warner-Kramer
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350
E-mail: Warner-KramerDM@State.gov

Convention for the Conservation of Salmon in the North Atlantic Ocean (Basic Instrument for the North Atlantic Salmon Conservation Organization -- NASCO)

Basic Instrument

Convention for the Conservation of Salmon in the North Atlantic Ocean (TIAS 10789), 1982.

Implementing Legislation

Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3601).

Member Nations

Canada, Denmark (in respect of the Faroe Islands and Greenland), the European Commission or EC, Iceland, Norway, the United States, and the Russian Federation.

Commission Headquarters

North Atlantic Salmon Conservation Organization
11 Rutland Square
Edinburgh, EH1 2AS Scotland
United Kingdom

Secretary: Dr. Malcolm Windsor
Tel: 44 131 228 2551
Fax: 44 131 228 4384
E-mail: hq@nasco.int
Web Address: www.nasco.org.uk

Budget

The Convention provides that 30 percent of the Organization's budget will be borne equally by the Parties; 70 percent will be based on recent catches of salmon in intercepting fisheries. The Council adopted a budget for 2001 of £353,290 (approximately US$522,277), with a U.S. contribution of £15,441. This budget represents an increase of about 3.9 percent in real terms compared to 2000. It marks the first time a NASCO budget has increased in real terms in about ten years.

In recent years, Iceland has sought to reduce its financial contribution to NASCO and has complained about certain issues relating to Contracting Party contributions to the organization. These issues include (1) ranched salmon, (2) high levels of unreported catch, (3) the impact of salmon quota buy-outs, (4) the reduction in the

number of NASCO parties, (5) catch and release in salmon fisheries, and (6) the distribution of the budget between the portion based on catch and that based on equal shares. At the 1999 NASCO meeting, Iceland tabled a proposal to initiate a process that could have resulted in recommendations to amend the NASCO Convention. This proposal was of concern to a majority of parties, and the Council asked the Secretary to review this issue in a paper. At the 2000 meeting, the Council considered the Secretary's paper that indicated there was little flexibility short of amending the Convention to address Iceland's concerns about the effects on contributions of the reduction in membership and the effects of buy-outs. With regard to the exclusion of ranched fish, the inclusion of unreported catch, and the inclusion of an element for catch and release, there might be flexibility to address these concerns without amending the Convention. To do so, however, would require changing the meaning of the term "nominal catch" in NASCO. While there was

little support in the Council to make such a change, the Council asked the Secretary to prepare a new paper containing a series of scenarios that might address some of Iceland's concerns. This paper will be considered at the 2001 meeting.

U.S. Representation

A. Appointment Process:

The Atlantic Salmon Convention Act of 1982 provides that the United States shall be represented on the Council and Commissions by three U.S. Commissioners, appointed by the President to serve at his pleasure. Of the Commissioners, one must be an official of the U.S. Government and two must be individuals (not officials of the U.S. Government) who are knowledgeable or experienced in the conservation and management of salmon of U.S. origin.

B. U.S. Commissioners:

Government Commissioner:
Rolland Schmitten
Director, Office of Habitat Conservation
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Robert A. Jones
Connecticut River Salmon Commission
76 Deming Street
South Windsor, CT 06074

Ray B. Owen, Jr., Ph.D.
26 Noyes Drive
Orono, Maine 04473

C. Advisory Structure:

The U.S. Section of NASCO was formally constituted to provide the U.S. Commissioners with advice, with particular reference to development of U.S. policies, positions, and negotiating tactics. Membership of the U.S. Section includes public and *ex officio* members. Public members are appointed by the Commissioners and serve for a term of 2 years with eligibility for an additional 2-year term. Public members are limited to 15 in number and must be persons knowledgeable or experienced in the conservation and management of salmon of U.S. origin. *Ex officio* members include:

(1) the Chair (or designee) of the New England Fishery Management Council;

(2) a representative of the fishery agency of each of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut;

(3) the Deputy Assistant Secretary of State for Oceans and Space or her representative;

(4) a representative of the National Oceanic and Atmospheric Administration, Department of Commerce; and

(5) a representative of the Fish and Wildlife Service, Department of the Interior.

In addition, the U.S. Commissioners established the U.S. Atlantic Salmon Assessment Committee, which is composed of staff from State and Federal fishery agencies. The work of this body focuses on assessing New

England stocks of Atlantic salmon, proposing and evaluating research needs, and serving the U.S. Section to NASCO. Each year this body meets for an Assessment Meeting from which an assessment document is produced for the use of the U.S. Commissioners.

Description

A. Mission/Purpose:

The Convention applies to the salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal states of the Atlantic Ocean north of 36° N latitude throughout their migratory range. The purpose of NASCO is: (1) to promote the acquisition, analysis, and dissemination of scientific information pertaining to salmon stocks in the North Atlantic Ocean, and (2) to promote the conservation, restoration, enhancement, and rational management of salmon stocks in the North Atlantic Ocean through international cooperation.

B. Organizational Structure:

NASCO consists of: (1) the Council; (2) three regional Commissions (North American Commission or NAC, West Greenland Commission or WGC, and North-East Atlantic Commission or NEAC); and (3) the Secretariat. The Council (which consists of representatives of all Contracting Parties): (1) provides a forum for the study, analysis, and exchange of information on salmon stocks subject to the Convention; (2) provides for consultation and cooperation concerning salmon stocks beyond Commission areas; (3) coordinates the activities of the Commissions; (4) establishes working arrangements with the International Council for the Exploration of the Sea (ICES) and other fisheries and scientific organizations; (5) makes recommendations concerning scientific research; (6) supervises and coordinates the administrative, financial, and other internal affairs of the Organization; and (7) coordinates the Organization's external relations.

The three Commissions each have the following functions: (1) to provide for consultation and cooperation among their members; (2) to propose regulatory measures for intercepting salmon fisheries; and (3) to make recommendations to the Council concerning scientific research.

Canada and the United States are members of the NAC. Canada, the EU, the United States, and Denmark (in respect of Greenland), are members of the WGC. Denmark (in respect of the Faroe Islands), the EU, Iceland, Norway, and the Russian Federation are members of the NEAC. In the case of the NAC, the EU may submit and vote on proposals for regulatory measures concerning salmon stocks originating in the territories of its member

States. Canada and the United States each have similar rights in the case of the NEAC.

C. Programs:

Scientific Advice: Scientific advice is provided to NASCO by ICES. The Advisory Committee on Fishery Management (ACFM), a standing committee within ICES, provides information on catch statistics and associated research results in response to the specific requests from NASCO. At the 1992 annual meeting, the NASCO Council established a Standing Scientific Committee (SSC), composed of a scientist and a management representative from each of NASCO's three geographic commissions, to formulate requests for future scientific advice from ICES. The SSC is designed to ensure that questions to the scientific working groups are formed to reflect accurately the information desired by managers. This arrangement is being continued as it seems to be working well.

Non-Contracting Party Fishing: Fishing for Atlantic salmon by non-Contracting Parties to the NASCO Convention has been an issue for the organization for some time. At the 1992 meeting held in Washington, D.C., the Council approved a protocol to the NASCO Convention for signature by non-Contracting Parties to NASCO. The protocol was designed to provide non-Contracting Parties with a legal instrument for the creation and enforcement of domestic legislation and regulations. It calls upon non-members to prohibit the fishing of Atlantic salmon stocks beyond the areas of fishing jurisdiction of coastal states and to take appropriate actions to enforce the provisions of the protocol. The NASCO Council also approved a resolution calling upon NASCO Parties to encourage non-Contracting Parties fishing for salmon on the high seas to comply with the protocol, and to obtain and compile information on such fishing. The NASCO Secretariat was given the task of devising a mechanism by which parties to the NASCO Convention may approach states in which vessels observed to be fishing on the high seas for Atlantic salmon are registered and of documenting and disseminating information on high seas fishing activities contrary to the protocol.

To date, no non-Contracting Parties have become bound by the protocol, although certain non-Contracting Parties (i.e., Panama and Poland) have taken actions to address the problem of salmon harvesting vessels registered in their countries. There have been no sightings of non-Contracting Parties fishing for salmon since February 1994; however, there have been few surveillance flights conducted over the winter and spring periods preceding NASCO annual meetings. Past estimates of catch taken by non-member vessels fishing in international waters has been 25-100 metric tons (mt).

The Council considered and did not pursue a proposal to conduct a pilot project to assess the utility of radar satellite data for the detection of salmon fishing by non-Contracting Parties in international waters; however, NASCO agreed to continue to consider the usefulness of satellite surveillance systems in this regard. Toward that end, NASCO intends to hold a follow-up meeting to its 1993 meeting in the next few years with coast guard/fishery protection agencies to review the results of a study of Norwegian satellite surveillance systems. NASCO will also continue to liaise with the Northwest Atlantic Fisheries Organization and the North-East Atlantic Fisheries Commission (NEAFC) with a view to obtaining relevant information on sightings.

Unreported Catch: ICES recommended that measures be taken to improve accounting for the significantly high amount of salmon catch often reported as "guess-estimates." At its 1997 meeting, NASCO approved a proposal for refining the estimates of unreported catch and adopted a proposal that the NASCO Secretariat carry out a review on such catches. A review of catch statistics at the 1998 NASCO meeting indicated that approximately 25 percent of the total North Atlantic salmon harvest was attributable to unreported catch. To improve reporting of salmon catch statistics, the Parties agreed to provide data to ICES on a stock basis and to try to categorize this catch in accordance with specified criteria. At its 1999 meeting, NASCO noted continuing concern about the high level of

unreported catches and agreed to refine the process developed in 1998 to assist in addressing this problem. At the 2000 meeting, the Council noted that estimates of unreported catches remained high (32 percent of the total 1999 salmon harvest). Illegal fishing appears to be a major contributing factor to the continuing high level of unreported catch–although not in all countries. Continuing concern was expressed about the high level of unreported catch and the Council emphasized the need to take stronger measures to address this issue. The Council asked that all parties provide a breakdown of their 2000 reported catch as this information could be useful when considering measures to minimize unreported catch. The Council also took note of the FAO initiative to develop an international plan of action (IPOA) to address illegal, unregulated, and unreported (IUU) fishing and considered additional action to combat IUU fishing might be required of NASCO in the future pursuant to this IPOA.

Research: At its 1995 Annual Meeting, NASCO first considered conditions under which research fishing by Contracting Parties might be undertaken. It was agreed that harvesting salmon for scientific research purposes could provide valuable management information; however, there was concern that such research fishing could be contrary to Article 2 of the NASCO Convention. Following the 1995 Annual Meeting, the Parties considered a resolution to establish such a procedure, but for various reasons, NASCO was not able to adopt the resolution as presented. At the 1996 Annual Meeting, the Parties considered revised resolutions on the topic and adopted a resolution setting forth a procedure to allow research fishing. The measure does not distinguish where such fishing occurs (i.e., within areas of national jurisdiction or on the high seas) and allows research fishing provided certain safeguards are observed. Prior to adoption of the resolution, NASCO had unanimously approved scientific research fishing by Canada, EU (Scotland), and Norway. Since the adoption of the resolution, NASCO has approved research fishing proposals from several of its members. The most recent proposals approved by NASCO included a request from the EU (Scotland) to conduct research during April and May 1998 and a proposal from Norway to conduct research during the period April to October in each year from 1998-2002.

Due to concerns about marine survival of salmon, the Council agreed at its 2000 meeting to set up a working group to develop ideas for a 5-year international cooperative research program to identify and explain the causes of increased marine mortality of Atlantic salmon and to consider ways to counteract this problem. The working group met in 2000 and developed a proposed research program, which will be considered at the 2001 NASCO meeting.

Precautionary Approach: In 1997, the Council agreed to establish a working group to consider how the precautionary approach might be applied to NASCO's work. Its first meeting was held in January 1998 and representatives of ICES and FAO were invited to attend. At its 1998 annual meeting, NASCO adopted an agreement on adoption of the precautionary approach, which was largely developed at the 1998 intersessional. The key provisions of the agreement were: (a) NASCO and its Contracting Parties agree to adopt and apply a precautionary approach; (b) NASCO and its Contracting Parties should apply the precautionary approach to the entire range of NASCO salmon conservation and management activities; and (c) the application of the precautionary approach should focus on (1) management of North Atlantic salmon fisheries, (2) the formulation of management advice and associated scientific research, and (3) introductions and transfers including aquaculture impacts and possible use of transgenic salmon. To further this work, NASCO adopted the Action Plan for the Application of the Precautionary Approach to Salmon Management at its 1999 meeting. The action plan provides a framework to further implement the precautionary approach in NASCO and establishes a standing committee to oversee this work. The action plan addresses such issues as: management of fisheries; socioeconomic issues; unreported catches; scientific advice and research requirements; stock rebuilding programs; introductions, transfers, aquaculture and transgenics; habitat issues; and bycatch. The agreement by NASCO to apply the precautionary approach to its work represents a significant milestone in cooperation by the Parties. The NASCO Parties recognized that ultimate development of the precautionary approach will take many years and will seriously challenge the resources of the organization and its members.

The first meeting of the standing committee on the precautionary approach (SCPA) took place on March 21-23, 2000, in Miami, Florida. The SCPA developed general comments on interpretation of guiding principles that apply to all aspects of application of the precautionary approach to NASCO's work. The Committee developed a decision structure for use by the Council and Commissions as well as by relevant authorities of NASCO member in the management of single and mixed stock salmon fisheries. At its 2000 meeting, the Council endorsed the provisional use of the decision structures for a period of two years. Parties agreed to apply the provisional decision structures to homewater and distant water fisheries as appropriate, and to make interim reports to NASCO at its 2001 meeting. The parties will report to the SCPA in the spring 2002 to conduct a thorough review of the decision structures.

In addition to the above, the Council developed at its 2000 meeting terms of reference and charged the SCPA to focus on the application of the precautionary approach in relation to the protection and restoration of habitat and in relation to socio-economic issues. The SCPA held its second meeting to consider these issues in February 2001 (in conjunction with a meeting of the NASCO and North Atlantic salmon farming industry Liaison Group. The SCPA made progress at its February meeting and will present its results to the Council for further consideration and action.

Transgenic Salmon: The Council considered a resolution on transgenic salmon at its 1996 meeting that would begin to address concerns about the possibility that transgenic salmon (i.e. salmon that have had genes from another organism introduced into them) will interact with and negatively affect wild salmon stocks. Due to disagreements over procedure, this resolution was not adopted at or after the 1996 meeting. At its 1997 meeting, NASCO again considered this issue. The document "Guidelines for Action on Transgenic Salmon" was adopted in lieu of a resolution. Under these guidelines, the Parties agreed to advise NASCO of any proposal to permit the rearing of transgenic salmonids, providing details of the proposed method of containment and other measures to safeguard the wild stocks. At the 2000 NASCO meeting, it was reported that a company located in Atlantic Canada is producing transgenic salmon in a secure, land-based facility. The government of Canada had not yet received a formal proposal for commercial rearing, but would take appropriate steps should such a proposal be received. The United States reported that preliminary discussions were taking place between a company rearing transgenic salmon and the U.S. Government and the United States would keep NASCO informed of any developments. NASCO will also be considering the issue of transgenic salmon in its precautionary approach sub-body, the SCPA.

Oslo Resolution: In 1994, NASCO adopted a resolution directed at minimizing impacts from salmon aquaculture on wild salmon stocks. At its 1997 meeting, the Council agreed to hold an intersessional meeting in early 1998 of its Working Group on Implementation of the Oslo Resolution to consider further the implementation of the Resolution in light of information arising from the 1997 ICES/NASCO symposium on the interaction between cultured and wild salmon. (Information presented at the symposium suggested that the abundance of cultured salmon in the wild is large and has resulted in a mixing of fish from different populations to an extent never before seen. Such interactions could have serious adverse impacts on the wild stocks.) At the 15th annual (1998) meeting of NASCO, all of the Working Group's recommendations were adopted and the Secretary was charged with preparing a document containing both the Oslo Resolution and the newly adopted recommendations. Further, in response to one of the Working Group recommendations, the NASCO Parties submitted for review at the 1998 meeting detailed information on their efforts under the Oslo Resolution. Based on this review, NASCO decided to hold a special session, in conjunction with the 1999 NASCO annual meeting, and each year thereafter, to review and evaluate implementation of the Oslo Resolution by two individual NASCO members. In 1999, Canada and Norway made such reports. Two EC Member States made similar reports at the 2000 NASCO meeting. The United States, Iceland, and the Faroe Islands will offer presentations at the 2001 NASCO meeting. These special sessions are open to non-governmental organization participation.

In addition, NASCO has recognized the need to involve the salmon farming industry in efforts to protect the wild stocks through improved salmon farming management. Toward that end, NASCO established a Wild and Farmed Salmon Liaison Group with the International Salmon Farmer's Association (ISFA) to effect closer cooperation with the salmon farming industry. As of January 1999, the Liaison Group had met twice but progress has been slow. In addition, Liaison Group participation was limited in that not all Parties' aquaculture industries are included in the ISFA. Recognizing the need to develop closer, more open and broader cooperation, it was agreed at the 1999 NASCO meeting that the third liaison meeting should include all the aquaculture industries in the North Atlantic. This meeting was convened on February 10-11, 2000, in London, England, to discuss the development of a constitution for the Liaison Group and other issues, including establishing a working group to develop guidelines on physical containment and husbandry practices. At the 2000 NASCO meeting, the Council agreed to a constitution with the Liaison Group endorsing the commitment of NASCO and industry to work together and made suggestions for changes to the document detailing principles for cooperation between NASCO and the salmon farming industry. NASCO welcomed the draft guidelines on containment developed by a working group established by the Liaison Group but noted the need for further work to ensure these guidelines would result in a higher standard of containment. Elements on monitoring, control, and enforcement and a requirement to adopt new technology as it becomes available should be included. These issues were addressed at the February 2001 meeting of the Liaison Group, the report of which will be considered by NASCO at its 2001 meeting.

Bycatch: During its 1997 meeting, the Council requested ICES to investigate possible increases in salmon bycatch due to expansion of pelagic fisheries for herring and mackerel in the northeast Atlantic in 1997, noting that even a very small percentage of catch of salmon post-smolts could mean significant losses. At its 1998 meeting, NASCO agreed that it needed further information on the possible bycatch of salmon in pelagic fisheries and asked the Secretariat to request such information from the Contracting Parties and from the NEAFC. At the 1999 NASCO meeting, the Parties expressed continuing concern about the bycatch issue, noted that investigations into the issue were being initiated, and again agreed to provide any available information for consideration. At the 2000 NASCO meeting, the Council referred the issue of at-sea bycatch of Atlantic salmon to the working group on marine mortality discussed under the research section above.

Joint Meetings: NASCO has expressed interest in meeting with the North Pacific Anadromous Fish Commission and the International Baltic Sea Fisheries Commission to discuss habitat and salmon management issues of mutual concern but such a meeting has not yet occurred. Such a meeting may occur in March 2002. Since the meeting would be to examine scientific issues of common concern, ICES and PICES will also be invited. Similarly, NASCO parties have agreed that a joint meeting with the International Commission for the Conservation of Atlantic Tunas, the Northwest Atlantic Fisheries Organization and the North East Atlantic Fisheries Commission would be useful, perhaps in 2002. Issues of mutual concern that could be discussed at such a meeting include implementation of the precautionary approach, control and enforcement schemes, and data collection. These possible joint meetings will be further discussed at the 2001annual meeting of NASCO.

Transparency: At its 2000 meeting the Council reviewed its relationship with observer organizations in three key areas as follows:

1. Whether to allow observers to speak in the Council (at times other than the opening session) and in the Commissions: The Council decided not to change the current rules that permit observers to speak only at the opening of the Council. However, in response to concerns expressed by some parties, the Council agreed that all of NASCO's rules on NGO participation will be reviewed in 2001.

2. Whether to allow participation by observers in intersessional meetings of the Council, Commissions, and working groups: It was clarified that observers are allowed to attend all meetings (including intersessional

meetings) of the Council and Commissions, but they may not attend meetings of any working group or committee.

3. Whether to impose an observer fee and to whom it would apply: It was decided that, for the time being, an observer fee would not be imposed nor would NASCO invite voluntary contributions from observer organizations. The parties agreed that the participation by observer organizations had been of mutual benefit and enhanced the transparency of the organization.

Other Issues: During the 1997 Annual Meeting, NASCO adopted catch and release guidelines, which have now been published. NASCO is considering developing draft guidelines on stocking for future consideration.

Actions Taken by NASCO's Three Regional Commissions:

NAC Discussions/Actions: Over the last few years, Canada has reported significant new management measures for Atlantic salmon within the Canadian Exclusive Economic Zone (EEZ), including closing certain fisheries for several years and buying back and retiring commercial salmon fishing licenses. Until 1998, the commercial salmon fishery off Labrador was open, although Canada had taken steps to reduce this mixed stock, interceptory fishery through license buy-outs, delayed fishing seasons, and reduced quotas. Due to the tenuous condition of the stock, Canada placed a moratorium on its commercial Labrador interceptory fishery for the first time in 1998 and continued its moratorium on its Newfoundland commercial fishery (first implemented in 1992). A subsistence salmon fishery will continue in Labrador. Canada also announced implementation in 1998 of a voluntary buy-back program of commercial salmon licenses in the lower north shore of Quebec region. Additional restrictions were implemented for recreational fisheries throughout Atlantic Canada in 1998. In light of the 1999 scientific advice that salmon abundance was the lowest recorded in the 1993-98 time-series and that there should be no commercial harvest in the NAC area, except in rivers where the spawning escapement had been reached or exceeded, Canada announced a three year moratorium (beginning in 1999) for the Labrador and Newfoundland commercial interceptory fisheries. At the 2000 NAC meeting, Canada reiterated that it was maintaining its closure of all east coast commercial salmon fisheries. A small commercial fishery continues in Quebec on the lower North shore of the St. Lawrence River. For 1999, Canada reported landings of about 143 mt and an additional estimated 133 mt unreported catch. Of the 143 mt figure, the aboriginal food fishery in Atlantic Canada accounted for 45 mt, fisheries on Quebec's Lower North Shore accounted for 3.6 mt and recreational fisheries in eastern Canada totaled about 94 mt.

The United States has no commercial Atlantic salmon fishery. Further, it is illegal to retain any sea-run Atlantic salmon in the United States, but there is a target harvest fishery in the Merrimack River for reconditioned brood stock. Formerly, the United States allowed a bag limit of 1 fish per year for the recreational fishery in Maine. (The season creel limit in 1994 was one grilse or 1 sea-winter salmon only and no retention of multi-sea winter salmon.) The bag limit was reduced to zero in 1994 to support further conservation efforts. Catch and release angling has been permitted in Maine in the past. In 1994, catch and release figures totaled 249 fish. The 1995 and 1996 catch and release numbers increased due to favorable fishery conditions. In 1995, 292 fish were caught and released, and in 1996, 542 sea-run Atlantic salmon were caught and released (a 46% increase over 1995). The catch and release figure for 1997 was 333 and for 1998 was 270. The preliminary figure for 1999 is 216. Salmon runs in Maine rivers remain in a severely depressed state, and Maine closed it catch and release fishery as of December 1999. At the 2000 NAC meeting, the United States reported on the closure of the directed catch and release fishery in Maine, the removal/breaching of several dams and other habitat protection efforts, and the proposed listing of the Atlantic salmon Gulf of Maine Distinct Population Segment as endangered under the U.S. Endangered Species Act.

Despite these efforts, ICES reported in 2000 that the estimate of the pre-fishery abundance of 81,861 non-

maturing, one sea-winter fish was the lowest on record. ICES advice for 2000 was that there be no commercial harvest in the NAC area, except in rivers where the spawning escapement had been reached or exceeded.

The NAC discussed the harvest of salmon by St. Pierre et Miquelon (islands off the coast of Newfoundland that are French territories). St. Pierre et Miquelon had a reported catch of 837 kg in 1995, 1,568 kg in 1996, and 1,491 kg in 1997. The 1998 harvest was 2,307 kg, which represents a 55 percent increase of 1997 levels. The 1999 harvest indicated continued increase at 2,322 kg. French authorities have indicated that salmon harvests by St. Pierre et Miquelon are for subsistence purposes (meaning no salmon from the wild stock is exported). This fishery is a mixed stock fishery and because of the poor status of North American salmon runs, ICES had recommended closure of these fisheries in the NAC area. Because France is not a member of NASCO, the NAC has not been able to control the salmon harvest levels of these islands; however, Canada reported at the 1995 NAC meeting that it had completed a 10-year agreement with France in which specific reference was made to the responsibility of both France and Canada to comply with salmon conservation measures adopted by NASCO. Canada reported at the 1998 NAC meeting that French authorities have agreed to improve their reporting procedures so as to avoid future data discrepancies such as those previously noted by the NAC. (In the past, one set of statistics has been reported to NASCO by ICES and a different set has been reported by French fisheries authorities.)

In view of the strong conservation measures adopted in the United States and Canada and the continued increase in the St. Pierre et Miquelon catch in recent years, NASCO has taken steps to engage France (in respect of St. Pierre et Miquelon) on this issue. In 1999, NASCO agreed to send a letter to French authorities expressing its concern about this mixed stock salmon fishery. France responded by noting that the higher catch figures in 1998 and 1999 were due to improvements in catch reporting. The letter did not offer any signs of increased commitment from France to cooperate with NASCO. At its 2000 meeting, NASCO adopted a U.S. proposal that directs the President of NASCO to share the resolution with France. The resolution (1) expresses concern over the level of salmon harvest in St. Pierre et Miquelon; (2) urges France to cooperate with NASCO to rebuild salmon stocks of North American origin by immediately setting harvest limits for the 2000 salmon fishery in St. Pierre et Miquelon at the lowest possible level consistent with scientific advice; and (3) requests France to inform NASCO by its 2001 annual meeting of the measures it has taken to address the concerns of NASCO to reduce the level of harvesting of salmon in St. Pierre et Miquelon in 2001 and beyond, and to provide additional details on the salmon fishery, to include licensing, reporting mechanisms and unreported catch. In addition, NASCO members were encouraged to initiate bilateral demarches in support of the resolution. Finally, the Council agreed to invite France (in respect of St. Pierre et Miquelon) to attend the 2001NASCO annual meeting as an observer. The Council will review the situation of France, including any responses received, at its 2001 meeting. The Council will also decide in 2001 whether or not to invite France to join NASCO.

The NAC also heard a report from its Scientific Working Group on Salmonid Introductions and Transfers. This Working Group developed protocols for the introduction and transfer of salmonids for stocking and aquaculture purposes, which were adopted in 1992 and were widely distributed among relevant North American agencies. Canada initiated implementation of the protocols in June 1993. Within the United States, the protocols have not been promulgated as a separate set of regulations but have been nearly fully adopted and integrated into existing state and federal policies and regulations. In 1997, the Commission approved the format of a consolidation of the protocols as outlined in the 1997 Working Group report. The Commission also approved the production of a pocket sized version of the protocols as well as a schedule for revising the protocols. This work is continuing and it was reported at the 2000 NASCO meeting that the revised protocols were undergoing consultations with respective state
and provinces, the aquaculture industry, and other interested parties. Final agency review in both the United States and Canada is expected soon. Adoption of further modifications to the protocols and the quick-reference protocol handbook is expected at future NASCO meetings.

WGC Discussions/Actions: Within the WGC, devising a management regime that could reduce interceptions of North-American origin salmon in the commercial fishery off West Greenland was the focus of U.S. efforts at the 1993 Annual Meeting. Agreement was reached in principle on a reduced 1993 quota (213 mt) and on a 5-year science-based management regime, which was later ratified by postal vote. At the time, it was agreed that quotas over the next 4 years would be derived from ICES scientific advice, on the basis of a mathematical model. The 1994 quota was set at 159 mt. It was expected that spawning escapement (of multi-sea winter fish that return from Greenland to spawn in homewater rivers in North America) would increase significantly due to this management effort.

At the 1995 annual meeting, there was disagreement concerning the use of the advice provided by ICES on the 1995 quota level for the West Greenland fishery. ICES recommended that the fishery in the WGC area be closed in 1995 instead of proceeding at the quota level derived from the abundance model. Further analysis of the model seemed to indicate that it was overestimating pre-fishery abundance levels and, therefore, any catch might have a negative impact on the number of salmon returning to North American waters. The United States and Canada encouraged the Commission to accept ICES advice; however, Denmark (in respect of Greenland) argued for a quota for West Greenland of 77 mt as provided by the original agreement. Ultimately, a 77 mt quota was adopted.

Scientific catch advice for 1996 called for a reduction of fishing mortality to the lowest possible level in the WGC area and that there should be no landings of salmon for the WGC in 1996. This advice was based on the results of applying a refined abundance model, which was developed to take into consideration the problems observed with the model in 1995. Over the course of the 1996 meeting, no agreement could be reached on the appropriate scientific model to use to arrive at a quota for West Greenland. Denmark (in respect of Greenland) argued for a 271 mt quota, while the United States, Canada, and the EU pushed for a quota in accordance with the ICES scientific advice. The meeting ended without establishment of an agreed NASCO quota. After the 1996 meeting, Denmark (in respect of Greenland) unilaterally set a quota of 174 mt and harvested 92 mt.

To avoid another impasse, discussions regarding future quota setting procedures for West Greenland took place prior to the 1997 annual meeting. This led to the adoption of an addendum to the 1993 agreement that specified that the quota allocated to West Greenland would be the higher of the Calculated Quota (as calculated according to the 1993 agreement using a pre-fishery abundance forecast at a 50 percent probability level) and the Reserve Quota, which is based on an allocation to Greenland, for 1997, of 6 percent of the forecast pre-fishery abundance level using the biological parameters provided by ICES in 1996. In accordance with the amended agreement, the WGC set a reserve quota of 57 mt which was inclusive of all forms of catch (including an estimated 20 mt of local sales and subsistence fishing). Greenland reported that its 1997 harvest was 63 mt. The slight over-harvest was due to landing reports that were submitted after the fishery was closed. The 1993 agreement, as amended, expired at the end of the 1997 salmon fishing season.

Prior to the 1998 annual meeting of NASCO, Greenland indicated its readiness to accept a 1998 quota based on application of the 1997 reserve quota formula. Use of the reserve quota system would have resulted in a 33 mt quota; however, concern was expressed by the United States and Canada that the pre-fishery abundance estimates were uncertain and likely too high. Revisions to the 1997 pre-fishery abundance indicated that, under the reserve quota formula, West Greenland would have been limited to subsistence fishing only in 1997. Because of the poor stock condition and the uncertainty surrounding the pre-fishery abundance, an agreement was reached that limited the salmon fishing activity in West Greenland to internal consumption only during 1998. In the past, this internal consumption fishery has been estimated at approximately 20 mt. The reported catch figure for 1998 was 11 mt. In addition, the Greenland Home Rule Government estimated that there was an unreported catch of about 11 tons. A key element of the 1998 agreement was recognition of improvements in salmon catch monitoring and reporting in Greenland. Significantly, Canada's action regarding Labrador (discussed in the NAC section above) together with

the regulatory measure adopted for West Greenland meant that for the 1998 fishing year, commercial fisheries for Atlantic salmon in the northwest Atlantic were virtually eliminated.

During the 1999 NASCO meeting, the WGC noted scientific information indicating salmon abundance continued to decline. In fact, the WGC area prefishery abundance (PFA) estimate for 1999 was about 79,000 salmon, the lowest PFA estimate since ICES has been providing scientific advice. ICES recommended that there be no exploitation of the 1998 smolt class as non-maturing 1SW fish in North America or at Greenland in 1999, and also recommended that the class should not be exploited as mature 2SW fish in North America in 2000. Ultimately, the WGC agreed to a regulatory measure for both the 1999 and 2000 fishing seasons similar that in place during the 1998 season. Specifically, Greenland's harvest of salmon would be restricted to internal consumption purposes with no commercial exports from Greenland. As noted above, the internal consumption fishery (exclusive of unreported catch) is not expected to exceed 20 mt per year. The 1999 salmon harvest by Greenland in the WGC area was 19.5 mt. The estimate of unreported catch for the 1999 fishing season was 10-15 mt. As in past years, Denmark (in respect of Greenland) noted that the regulatory agreement reached in 1999 in no way abrogated its right to fish for salmon in West Greenland. The WGC members agreed to cooperate to improve the collecting of scientific data in West Greenland waters.

Scientific advice provided by ICES for 2000 indicated that the prefishery abundance for non-maturing one sea-winter salmon was about 180,000 salmon. This compares to the PFA estimate in 1999 of about 67,000 salmon. Disturbingly, the 2000 scientific information indicated that a dramatic shift in the proportions of the two stocks that mix off of West Greenland (North American and southern European) has been detected. For 2000, the estimated proportions of North American origin fish was 91 percent and the percent of European fish was 9 percent. Previously, the proportions were 54 percent and 46 percent, respectively. The reasons for this shift are unknown and the Commission supported additional investigation into possible causes, including differential marine survival rates between the two stock components, differential fishery exploitation rates, and potential changes in marine survival.

Notwithstanding the increase in the PFA estimate for 2000, ICES advised that there should be no exploitation of the 1999 smolt class a non-maturing one sea winter fish in North America or West Greenland in 2000 and that the class should not be exploited as mature two sea winter fish in North America in 2001–except in rivers where the spawning escapement had been reached or exceeded. For the southern European stock component, ICES advised that extreme caution should be exercised in the management of mixed stock fisheries exploiting these stocks (i.e., in the UK and Ireland) and that reductions in exploitation rates are necessary.

Looking to the future, NASCO adopted a resolution regarding the fishing of salmon at West Greenland in 2001. The resolution provides that unless significant improvement is demonstrated in the condition of the stocks available at West Greenland, the fishery in 2001will be restricted to the lowest possible level. NASCO will consider new management measures for the West Greenland fishery at its 2001 meeting.

NEAC Discussions/Actions: The NEAC provides for the management of the intercept salmon fishery off the Faroe Islands. Although quotas have been established through NASCO for the Faroese fishery for many years, there has been no commercial fishery in the Faroe Islands since 1991. Until 1998, a private sector quota purchase arrangement bought the quota harvesting rights. In 1998, no purchase agreement was reached for the NASCO established 380 mt quota, but only a 6 mt research fishery was prosecuted. During negotiations in 1997 regarding the 1998 quota, Denmark (in respect of the Faroe Islands) stressed that it would not accept further reductions in the Faroese quota without appropriate "burden sharing" by other NEAC members. The Faroes Islands have repeatedly

noted that they are a small island territory dependent on harvesting marine resources and they have insisted on a need for significant quotas. (The 1997 quota established for the Faroese fishery was 425 mt.) Ultimately, a regulatory measure was adopted for 1998 that established the 380 mt quota mentioned above and established other restrictions on season and gear. Denmark (in respect of the Faroe Islands) indicated that, if fishing licenses were granted for 1998, not more than 330 mt of the quota would be allocated. Noting the very serious condition of this stock, ICES advised in its 1998 report that great caution should be exercised regarding the exploitation of this stock. At the 1998 NASCO meeting, the NEAC agreed to a 1999 quota of 330 mt for the Faroese fishery, of which Denmark (on behalf of the Faroe Islands) agreed to harvest only 290 mt. In a significant development, the NEAC recognized the importance of establishing conservation limits on a river stock basis within the NEAC area. Rights to the 1999 quota were not purchased by private sector interests, but no commercial fishery was prosecuted.

At the 1999 NASCO meeting, the NEAC again noted the ICES advice that great caution should be exercised regarding the exploitation of the northeast Atlantic salmon stock. After difficult negotiations, the NEAC agreed to a quota of 300 mt for the 2000 Faroese fishery, of which Denmark (with respect of the Faroe Islands) noted it would allocate no more than 260 mt. Additional restrictions to reduce fishing effort and season length and to protect undersized salmon were also agreed. At the 1999 meeting, Denmark (in respect of the Faroe Islands) announced their intention to resume a commercial harvest of salmon in 2000. The results of this fishing will be reported at the 2001 NASCO meeting. In the interim, all other members of NASCO signed a letter to the Faroe Islands expressing concern about their intent to resume commercial salmon fishing.

In its 2000 scientific advice (relative to the 2001 fishery), ICES noted that caution should be exercised regarding exploitation of most stocks found in the NEAC area. In the face of increasing evidence that the stocks in that area are declining, NEAC members, particularly the EC and Denmark (in respect of the Faroe Islands) were under increasing pressure to reduce salmon quotas and exploitation to levels consistent with scientific advice. Thus, at the 2000 NASCO meeting, the NEAC adopted a regulatory measure that lays the groundwork for more scientifically based management measures. Specifically, the measure: (1) states that the NEAC decided against setting a quota for the Faroe Islands for 2001, (2) recognized the right of the Faroe Islands to harvest salmon within their area of jurisdiction and the restraint offered by that country in recent years by not utilizing their quotas, (3) provides that the NEAC members will work expeditiously with ICES in an effort to develop a more science based approach to quota setting. (4) provides that the NEAC will develop a fair and equitable approach to allocations, and (5) notes the intention of the Faroe Islands to manage its fishery in a precautionary manner and that fishing will be limited in scope and will be subject to close national surveillance and control. The measure agreed in 2000 for the 2001 Faroe Islands fishery signifies a major milestone as it marks a significant change from the previous practice of allocating a large “paper” quota to the Faroe Islands.

In a disturbing development first discussed in 1994, sampling of Swedish west coast rivers for the period 1988-93 showed significant and alarming decreases in abundance of salmon fry. A cause of this decrease was originally thought to be changes in environmental conditions in the Atlantic feeding areas as well as rivers. However, information eventually pointed to an outbreak of the parasite *Gyrodactylus salaris*, which was spread from stocking rivers with infected farmed fish. The NEAC agreed to establish a Working Group to examine the question of introductions and transfers of salmonids due to concerns about the potential negative effects on wild salmon stocks (such as disease transmission) associated with cultured salmon. The Working Group has been developing guidelines that are similar to the NAC Protocols. At the 1995 Annual Meeting, the Working Group submitted a report to NASCO for consideration. It was adopted, but it was determined that more work was needed on the classification of rivers and on the concept of zones designed to reduce the spread of diseases and parasites. Work proceeded in this area during 1996 and, at the 1997 meeting, the NEAC adopted a resolution to protect wild salmon from introductions and transfers, which includes recommendations on river classifications and the development of management measures; zones to protect the spread of unknown diseases and parasites; and

transgenic salmon. The NEAC agreed that a regular reporting system for measures taken in accordance with the resolution should be developed and a format for this system was adopted at the 1999 NASCO meeting. At the 2000 meeting, the parties reviewed the returns made in accordance with the resolution and agreed that additional standardization of subsequent returns could make the information more useful. The Secretary will be looking into this matter in time for discussion at the 2001 NASCO meeting.

Recognizing the potential trade implications of regulating salmonid introductions and transfers, NASCO asked its Secretary to liaise with the World Trade Organization (WTO) to arrange a consultative meeting later in the year. The results of the consultations indicated that there is scope under the WTO agreements to restrict or prevent trade to protect fish life and health and to prevent or limit other damage, taking into account internationally agreed standards. NASCO is the relevant organization to deal with salmon conservation issues and the consultation had indicated that if measures are agreed to protect the wild stocks there is nothing in the WTO agreement to prevent resolution of disputes within NASCO rather than through WTO procedures.

The Council agreed to hold its Ninth Annual Meeting in Torshvn, Faroe Islands, June 3-7, 2002.

Staff Contacts

NOAA Fisheries:

Headquarters:

Kim Blankenbeker
International Fisheries Division (F/SF4)
Office of Sustainable Fisheries
National Marine Fisheries Service, NOAA
Room 13114
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313

Department of State:

Nikki Brajevich
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

Northeast Region:

Mary Colligan (F/NER)
National Marine Fisheries Service, NOAA
One Blackburn Drive
Gloucester, MA 01930
Telephone: (978) 281-9116
Fax: (978) 281-9394

Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (Basic Instrument for the Northwest Atlantic Fisheries Organization -- NAFO)

Basic Instrument

Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (entered into force January 1,

1979).

Implementing Legislation

Northwest Atlantic Fisheries Convention Act of 1995 (Title II of P.L.104-43).

Member Nations

Current members of NAFO include: Bulgaria, Canada, Cuba, Denmark (in respect of the Faroe Islands and Greenland), Estonia, the European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Romania, the Russian Federation, Ukraine, and the United States. The United States acceded to the Convention on November 29, 1995, and participated for the first time as a Contracting Party at the 1996 Annual Meeting (the United States attended earlier annual meetings as an observer).

Commission Headquarters

Northwest Atlantic Fisheries Organization
P.O. Box 638
Dartmouth, Nova Scotia, Canada B2Y 3Y9

Executive Secretary: Dr. L. I. Chepel
Telephone: (902) 468-5590
Fax: (902) 468-5538
Web address: http://www.nafo.ca

Budget

NAFO adopted a budget for 2002 of Can$1,369,000 (approximately $839,136), of which the U.S. contribution is expected to be approximately Can$196,023 (approximately $123,029). The preliminary 2003 forecast budget is Can$1,231,000.

U.S. Representation

A. The Appointment Process:

The Northwest Atlantic Fisheries Convention Act of 1995 provides that not more than three U.S. Commissioners and not more than three U.S. Representatives to the NAFO Scientific Council (see below) shall represent the United States in NAFO. Commissioners and Representatives are appointed by the Secretary of Commerce and serve at his pleasure. Each Commissioner and Representative is appointed for a term not to exceed 4 years, but is eligible for reappointment.

Of the three Commissioners, one (but no more than one) must be an official of the U.S. Government, at least one a representative of the commercial fishing industry, and one a voting (non-government employee) member of the New England Fishery Management Council. Commissioners must be knowledgeable and experienced concerning the fishery resources to which the NAFO Convention applies. Of the three U.S. Representatives to the NAFO Scientific Council, at least one must be an official of the U.S. Government. All Representatives must be knowledgeable and experienced concerning the scientific issues dealt with by the Scientific Council.

B. U.S. Representatives (term expirations in parentheses):

U.S. Commissioners:

Ms. Patricia Kurkul (08/14/04)
Deputy Assistant Administrator for Fisheries
National Marine Fisheries Service, NOAA
1315 East-West Highway
Silver Spring, MD 20910

Ms. Barbara D. Stevenson (08-03-03)
2 Portland Fish Pier
Portland, Maine 04101

Mr. Jeffrey Pike (03/10/04)
2000 L Street, NW
Suite 612
Washington, D.C. 20036

Representatives to the Scientific Council:

Dr. Fredric M. Serchuk (09/03/02)
Chief, Resource Evaluation and Assessment Division
Northeast Fisheries Science Center
National Marine Fisheries Service, NOAA
166 Water Street
Woods Hole, MA 02543

Mr. Steven J. Correia (05-15-05)
Massachusetts Division of Marine Fisheries
508 Portside Drive
Pocasset, MA 02559

C. Advisory Structure:

The Northwest Atlantic Fisheries Convention Act of 1995 further requires that the Secretaries of Commerce and State establish jointly a Consultative Committee to advise the Secretaries on issues related to the Convention. Each member of the Consultative Committee shall serve for a term of 2 years and shall be eligible for reappointment. The membership of the Committee shall consist of representatives from the New England and Mid-Atlantic Fishery Management Councils, the States represented on those Councils, the Atlantic States Marine Fisheries Commission, the fishing industry, the seafood processing industry, and others knowledgeable and experienced in the conservation and management of fisheries in the Northwest Atlantic. There are currently ten members of the NAFO Consultative Committee.

Description

A. Mission/Purpose:

NAFO is the successor organization to the International Commission for the Northwest Atlantic Fisheries (ICNAF). Its mission is: (1) to provide for continued multilateral consultation and cooperation with respect to the study, appraisal, and exchange of scientific information and views relating to fisheries of the Convention Area and (2) to conserve and manage fishery resources of the Regulatory Area, i.e., that part of the Convention Area which lies beyond the areas in which coastal states exercise fisheries jurisdiction. The Convention Area is located within the waters of the Northwest Atlantic ocean roughly north of 35° north latitude and west of 42° west latitude.

(Note: The Convention applies to all fishery resources of the Convention Area with the exception of: salmon; tunas, swordfish, and marlins; cetacean stocks managed by the International Whaling Commission or any

successor organization; and sedentary species of the Continental Shelf.)

(1) Organizational Structure:

NAFO consists of a General Council, Fisheries Commission, Scientific Council, a Secretariat, and seven standing committees. The General Council provides executive guidance for the Secretariat and provides a forum for member nations' approval of programs and regulations. The Scientific Council provides a forum for the exchange of scientific information and views relating to the fisheries of the Convention Area; compiles, maintains, and publishes statistics pertaining to the fisheries, including environmental and ecological factors in the Convention Area; provides scientific advice to coastal states when requested to do so; and provides scientific advice to the NAFO Fisheries Commission. The Fisheries Commission is responsible for the management and conservation of the fishery resources of the Regulatory Area. The Standing Committees consider and make recommendations in the areas of (1) finance and administration; (2) the fishing activities of non-Contracting Parties in the regulatory area; (3) inspection and control; (4) fishery science; (5) research coordination; (6) publications; and (7) fisheries environment.

C. Programs:

Special Note: Due to the terrorist attacks on the United States in September 2001, the 2001 NAFO Annual Meeting was cancelled. In a subsequent mail vote, NAFO members agreed that all current NAFO Conservation and Enforcement Measures (as found in NAFO documents FC Doc. 00/1, FC Doc. 01/1, FC Doc. 01/04, FC Doc. 01/5, and their attachments) should be rolled over and applied for 2002 unless amended by the Fisheries Commission. Objections lodged in respect of these measures in 2001 will also apply in 2002 unless withdrawn.

At the request of a number of NAFO members, the Chairmen of the NAFO General Council and the Fisheries Commission have called for special parallel meetings to take place in Denmark during January 29-February 1, 2002. These meetings addressd a limited slate of issues including (but not limited to): the 2002 NAFO budget; management and technical measures for a number of NAFO stocks; and recruitment of a new NAFO Executive Secretary. More information is provided below as appropriate.

Background: NAFO has established and maintained conservation and management measures in its Regulatory Area since 1979. These measures currently include: total allowable catches (TACs) and member nation quota allocations by species; one fishing effort allocation; data recording and reporting requirements; vessel monitoring system (VMS) and observer requirements; minimum size limitations; mesh size and chafing gear requirements; and notification, registration and hailing requirements for fishing vessels operating in the NAFO Regulatory Area (NRA). In addition, NAFO has a scheme of joint international inspection and surveillance in the NRA.

The principal species managed by NAFO are cod, flounders, redfish, American plaice, Greenland halibut (turbot), capelin and shrimp. Occasionally, a significant squid fishery occurs in the Regulatory Area as well. During the late 1980s and early 1990s, unregulated fishing in the NRA by non-member States (sometimes by reflagged vessels of member States); under-reporting of catches; overharvesting by Canada of stocks that straddle the line between Canada's exclusive economic zone and the NRA; and fishing by a NAFO member under objection (the EU) all contributed to the eventual collapse of 8 of the 13 stocks managed by NAFO (the NAFO Convention provides that a management measure is not binding on any contracting party that formally objects to it). As a result, NAFO was

forced to impose moratoria on fishing on these stocks in the NRA. Many NAFO-regulated species remain at all-time low levels (or the lowest level ever recorded), and NAFO-imposed moratoria continued for these eight stocks

in 2002.

U.S. Allocations: For 2002, the United States received the following country-specific allocations in the NRA: Division 3M redfish (69 mt); Division 3L shrimp (67 mt); Subareas 3+4 *illex* squid (453 mt); and an effort allocation of 100 fishing days for 1 vessel for Division 3M shrimp. U.S. fishermen are also entitled to harvest, on a first-come-first-served basis, any allocation for which an "Others" category has been designated, provided there is not a country-specific allocation to the United States for that fishery.

Monitoring and Enforcement: In 1995, NAFO agreed, inter alia, to implement a pilot project for 100 percent observer coverage of all vessels fishing in the NRA and on the installation of satellite vessel monitoring systems (VMS) on 35 percent of such vessels. Additionally, new procedures were adopted for processing information from at-sea inspections; modifying the hail system to require vessels entering or leaving the NRA to have provided 6-hour advance notification and vessels transshipping at sea to have provided 24-hour advance notification; and to require NAFO Contracting Parties to inspect the fishing vessels of other Contracting Parties during port calls to verify species and quantities caught.

Since 1995, NAFO has continued to develop and strengthen its compliance and enforcement measures through discussions at both annual meetings and intersessional meetings of the Standing Committee on International Control (STACTIC). At the 1998 annual meeting, NAFO made permanent the pilot project requiring the use of observers on 100 percent of Contracting Party vessels operating in the NRA beginning in 1999. NAFO also agreed to make permanent a requirement for 100 percent use of VMS on Contracting Party vessels operating in the NRA not later than January 1, 2001. This represents an extension of the pilot project measure, which only required 35 percent VMS coverage.

At the January 2002 Special Meeting, a U.S. proposal was adopted providing for an annual review of compliance with the NAFO Conservation and Enforcement Measures. This step was taken against the backdrop of a Canadian presentation showing numerous infringements of these Measures by vessels of NAFO Contracting Parties. The annual review will be carried out by the Standing Committee on International Control for adoption by the Fisheries Commission.

Non-Contracting Party Fishing: At its 1997 annual meeting, NAFO adopted the "Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO." This Scheme presumes that a non-Contracting Party (NCP) vessel that has been sighted fishing in the NRA is undermining NAFO conservation and enforcement measures. If such vessels enter the ports of Contracting Parties, they must be inspected. No landings or transshipments are permitted in Contracting Party ports unless such vessels establish that certain species on board were not caught in the NRA, and for certain other species that the vessel applied the NAFO conservation and enforcement measures. Contracting Parties must report the results of inspections to NAFO and all other Contracting Parties. Coordinated joint demarches have also been made by NAFO Contracting Parties to the governments of NCPs whose vessels had been observed fishing in the NRA requesting that the activity be stopped. The NAFO Conservation and Management Measures were amended at the 1998 annual meeting in order to implement this scheme.

NAFO has had only sporadic difficulties with NCP fishing activities in recent years. While the adoption of the Scheme (and particularly the use of diplomatic demarches) appears to have contributed to a reduction in the activities of these vessels in the NRA, a lack of fishing opportunities may also be responsible. However, NAFO continues to close the net around vessels that would undermine its conservation and management measures. In 1999, concerns regarding the activities of vessels that appeared to be operating without nationality ("stateless vessels") led NAFO to agree: to extend the Scheme to apply to suspected vessels without nationality; that NAFO

Contracting Parties may board, inspect, and apply actions in accordance with international law against such vessels; and that NAFO Parties are encouraged to "examine the appropriateness of domestic measures to exercise jurisdiction over such vessels." NAFO also agreed to demarche relevant nations to attempt to confirm the registries of a number of NCP vessels sighted fishing in the NRA, and to take measures to strengthen information sharing among relevant regional fisheries management organizations regarding the fishing activities of such vessels.

At its 2000 annual meeting, the importance of coordination with other regional fisheries management organizations and international bodies (such as the FAO) was stressed. It was agreed that NAFO should: continue to demarche relevant nations to confirm the registries of NCP vessels of concern to the Organization; enhance information sharing among relevant regional fisheries management organizations regarding the fishing activities of NCP vessels; and actively review the issue of Illegal, Unregulated and Unreported (IUU) fishing pending on-going discussions at the FAO. Additionally, information was presented that vessels of an unnamed Contracting Party were seeking permission to operate under a double flag arrangement that would allow them to more efficiently make use of quotas of two different Contracting Parties. It was generally agreed that such double flagging is a violation of international law and that such vessels could be considered stateless. These activities will continue in 2002.

Allocation of Fishing Rights: At the 1997 NAFO Annual Meeting, the United States offered a proposal to reform NAFO's practice of allocating fishing rights among Contracting Parties and asked for a special meeting of the Fisheries Commission to discuss it. The Fisheries Commission agreed instead to form an Allocation Working Group (WG), which first met in March 1998 to begin what will probably be a lengthy process leading to the reform of NAFO's fishing rights allocation practice. Discussion at this meeting primarily focused on whether or not the current NAFO quota allocation scheme needed revision and, if so, what range of changes should be considered. The WG agreed on guidelines for future discussions, including: exploring the meaning of the term "real interest" in relation to future new members; considering adoption of a broad strategy to guide expectations of future new members with regard to fishing opportunities in the NRA; development of a broad strategy to allocate future fishing opportunities for stocks not currently allocated; and exploring in connection with stocks under TACs possible margins to accommodate requests for fishing opportunities.

At the 1998 NAFO annual meeting, it was agreed that a second meeting of the WG should be held in April 1999. Discussion at this meeting focused on the topics agreed at the previous WG meeting, and a number Contracting Parties submitted useful working papers on these topics. These discussions resulted in some forward movement by the WG and a "Draft Resolution to Guide the Expectations of Future New Members with Regard to Fishing Opportunities in the NAFO Regulatory Area" was adopted noting that: any state may accede to the NAFO Convention; all Contracting Parties are members of the General Council; membership in the Fisheries Commission is limited to Contracting Parties who either presently fish or have an immediate intent to begin fishing in the NRA; and new Contracting Parties admitted into the Fisheries Commission can expect fishing opportunities to be limited to new fisheries or the quota allocation available to all Contracting Parties without a national quota (the "others" category) for stocks presently under TACs for the foreseeable future. This resolution was adopted at the 1999 NAFO Annual Meeting and it was agreed that the Allocation WG should meet again in March 2000.

Discussions during the 2000 meeting of the allocation working group focused to a large degree on continued development of a broad strategy for allocation of future fishing opportunities for stocks not currently allocated. The WG attempted to create non-exhaustive, non-prioritized "shopping lists" relating to both qualifying criteria and allocation criteria with regard to such opportunities. In addition, the WG examined possible opportunities for fishing opportunities on the margins of stocks currently under TAC. Much of this discussion related to the possible creation of an "others" quota. However there was no agreement regarding possible sources for such a

quota, nor was it determined who should have access to the fish contained therein.

At the 2000 NAFO annual meeting, Contracting Parties examined the utility of continued work by the Working Group. The United States and others expressed strong support for continued work, noting that allocation issues pertaining to new stocks must be dealt with in a timely manner. Other Contracting Parties stated that allocative issues should be addressed only once stocks begin to recover. Following further discussion, it was decided that the Working Group would not meet in 2001. However, there was general agreement that further discussions on the allocation issue should take place during the 2001 annual meeting. The United States will raise this issue at the January 2002 Special Meetings in order to ensure that it is included on the agenda for the September 2002 Annual Meeting.

Other issues of particular importance to the United States involve implementation of the provisions of the UN Straddling Stocks Agreement dealing with the use of the precautionary approach, transparency in decision making processes and settlement of disputes.

Precautionary Approach: At the 1996 NAFO Annual Meeting, the United States introduced a draft paragraph for inclusion in the request for advice from the Fisheries Commission (FC) to the Scientific Council (SC). This paragraph noted the importance of early action to implement provisions of the precautionary approach and requested that the SC provide a report examining specific elements of these provisions and how they might be implemented in NAFO. In the years that followed this request, support among members of the Fisheries Commission for the implementation of the precautionary approach has been guarded but generally positive. During this time the SC has, at the request of the FC (and with some FC participation): developed a conceptual framework and Action Plan for implementing the Precautionary Approach in NAFO; collaborated with other relevant fisheries organizations that had similar initiatives underway (i.e., ICES, FAO and others); held a workshop of the precautionary approach in March 1998; examined theoretical, general and specific considerations regarding NAFO stocks; examined the role of scientists and fisheries managers in relation to the Precautionary Approach; and initiated and conducted simulations of a precautionary approach to management for three categories of NAFO fish stocks.

At the May 1999 meeting of the Joint SC/FC Working Group, it was recommended that both the SC and FC consider elements in designing and formulating further action in respect to implementation of the Precautionary Approach for the three stocks used in the simulation and that similar actions be taken for other NAFO stocks with related characteristics as the implementation of the Precautionary Approach progresses. At its 1999 Annual Meeting, NAFO adopted a U.S.-proposed resolution to guide the implementation of the precautionary approach within NAFO that addresses many of the U.S. concerns. It was also agreed that the joint FC/SC Working Group should meet in 2000 to continue work on this issue. A Canadian-proposed agenda was also adopted for this meeting.

At its February 2000 meeting, the Joint SC/FC Working Group agreed on: implementation plans for applying the precautionary approach to 2 out of 3 model stocks that had been identified earlier; a similar implementation plan for 3LNO American plaice; a generic template for applying the precautionary approach to other NAFO-managed stocks; and general criteria for reopening a fishery in light of the precautionary approach. Despite this progress however, several issues of contention continue to plague the progress of the Working Group. Of particular concern are issues relating to terminology and operationalizing the precautionary approach within NAFO. At the 2000 annual meeting, these and other concerns led Contracting Parties to consider whether or not the working group should continue its work. After considerable discussion, it was agreed that a small group of technical experts will meet in the first half of 2001 to advance future work in the Fisheries Commission Working Group. This group was to circulate a report to all Contracting Parties and recommend whether the Working Group should meet prior to

the 2001 NAFO annual meeting. Unfortunately, this group never convened, but the meeting will take place on June 20-21, 2002, in Dartmouth, Canada.

Transparency: The United States first raised this issue at the 1996 NAFO Annual Meeting and a working group was created, with the United States serving as Chair, to examine applicable rules of other organizations and arrangements. Subsequent intersessional meetings of the working group in 1997 and 1998 were contentious, with the Nordic countries (i.e., Iceland, Denmark, and Norway) particularly resistant, and only limited headway was made on the issue. As a result of the difficulty of the discussions, in 1998 the Chair tabled a highly bracketed paper, "Procedures for Observers," designed to address the concerns of all parties. Although some progress was made at the 1999 working group intersessional, several disagreements remained on terms for admitting observers to NAFO meetings.

At the 1999 NAFO Annual Meeting, Canada presented a compromise text that set criteria for observer eligibility and stipulated that groups can participate in sessions of the General Council and FC unless a majority of Contracting Parties vote to exclude them. It also allowed NGOs to participate in meetings of subsidiary bodies unless one or more Contracting Parties objected. The new rules would be in place for two years, after which NAFO could evaluate the success of the program. In the end, the General Council adopted a modified version of this proposal as presented by Denmark. Observers will only be able to sit in on sessions of the General Council and Fisheries Commission, not subsidiary bodies. The NAFO Secretariat will receive applications from interested observers and determine if they meet the eligibility criteria, which include a written statement that the organization supports the goals of NAFO. The Secretariat will then notify all Contracting Parties which groups have been deemed eligible; they will be allowed to participate unless a Contracting Party objects for cause in writing. Any objection will lead to a mail vote among all members on the issue. The guidelines stipulate that the vote be conducted according to the usual NAFO decision-making rules; we interpret this to mean that once a party makes a motion to exclude the group, it can participate unless a majority of Contracting Parties agree to exclude. As in the Canadian proposal, NAFO can reevaluate these rules any time after 2001.

Dispute Settlement: NAFO continues to explore the desirability and feasibility of establishing a formal dispute settlement procedure for the organization. A working group, chaired by Norway, has held a number of meetings to consider a proposal put forth by Canada which is designed, in effect, to limit the use of the objection procedure and to enforce those limitations through compulsory, binding dispute settlement. In response, the EU has presented various counter proposals that have broader implications for NAFO. There is a common element to all the EU proposals: each would create a dispute settlement procedure for all NAFO disputes, not just those arising from the use of the objection procedure.

At the February 1999 meeting of the Working Group, Canada stated that it was now unsure that a dispute resolution mechanism, modeled along the way that the EU contemplates it, would be desirable. Conversely, the EU--which had originally resisted the proposal--has worked along with Norway to create a proposal whereby a broad number of disputes would initially be sent to an ad hoc dispute settlement panel (i.e. a non-binding procedure) and ultimately to binding dispute resolution as contemplated by the Fish Stocks Agreement.

At the 1999 NAFO Annual Meeting, Contracting Parties disagreed widely on the utility of continuing the Working Group. Canada argued that the UN Fish Stocks Agreement (UNFSA) is rapidly acquiring enough ratifications to enter into force. They noted that, as UNFSA includes procedures for settling disputes within regional fisheries organizations, NAFO should simply adopt those procedures. Canada did not think the DSP Working Group should continue to try to devise a separate NAFO procedure. Other Contracting Parties, most notably the EU, felt strongly that the DSP Working Group should continue. They argued that the UNFSA procedures were too slow to resolve a dispute within a single fishing season and would not apply to NAFO-regulated discrete stocks. Prompted

by the United States, the General Council decided the DSP Working Group would continue, but under new terms of reference that focus on devising means to implement the UNFSA provisions in a NAFO context.

The May 2000 meeting of the DSP Working Group began with a discussion of whether the parties could agree to adopt recommendations found in a Chairman's Paper which essentially proposed incorporation by reference into the Convention, mutatis mutandis, the 1995 UN Fish Stocks Agreement. The United States and Canada supported this approach, whereas the EU, Japan, and most of the other Contracting Parties were not very sympathetic. The focus of the meeting then shifted to an EU paper distributed at the last intersessional meeting which proposed the possibility

of disputing parties choosing binding dispute settlement under the 1995 UN Fish Stocks Agreement, UNCLOS or an ad hoc NAFO procedure. Out of this discussion came a Chairman's Consolidated Text which included provisions for which there was general consensus and bracketed text for which there was not consensus.

At the 2000 NAFO Annual Meeting, Contracting Parties disagreed widely on the utility of continuing the DSP Working Group. Canada adopted the new position that NAFO should simply wait for the UN Agreement on Straddling and Highly Migratory Fish Stocks (UNFSA) to enter into force, instead of attempting to devise a separate NAFO procedure. Other Contracting Parties, most notably the EU, felt strongly that the working group should continue. They continued to argue that the UNFSA procedures were too slow to resolve a dispute within a single fishing season and would not apply to NAFO-regulated discrete stocks. The June 2001 DSP WG meeting saw further work on the heavily-bracketed Consolidated Text. The resulting document ("Consolidated Text 2001~ DSP W.G. W.P. 01/7 Rev2) reflects the current state of agreement and views expressed within the WG to date. At the end of this meeting, the EU tabled its own version of a Dispute Settlement Procedures text (DSP W.G. W.P. 01/10), indicating that it might table this version as a possible compromise text at the 2001 Annual Meeting. This issue will be discussed at the 2002 Annual Meetings.

The 2002 NAFO Annual Meeting will be held September 16-20, in Santiago de Campostela, Spain.

Staff Contacts

NOAA Fisheries: Fax: (978) 281-9394

Patrick Moran
International Fisheries Division (F/SF4)
Office of Sustainable Fisheries
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13117
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313

Jennifer Anderson
Protected Resources Division
NMFS Northeast Regional Office
One Blackburn Drive
Gloucester, MA 01930
Telephone: (978) 281-9226

Department of State:

Dierdre Warner-Kramer
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2883
Fax: (202) 736-7350

PACIFIC OCEAN

CONVENTION FOR THE ESTABLISHMENT OF AN INTER-AMERICAN TROPICAL TUNA COMMISSION (IATTC)

Basic Instrument

Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, 1949 (TIAS 2044)

Implementing Legislation

Tuna Conventions Act of 1950 (64 Stat. 777), as amended (16 U.S.C., 951-961)

Member Nations

Costa Rica, Ecuador, El Salvador, France, Guatemala, Japan, Mexico, Nicaragua, Panama, the United States, Vanuatu, and Venezuela.

Commission Headquarters

Inter-American Tropical Tuna Commission
c/o Scripps Institute of Oceanography
8604 La Jolla Shores Drive
La Jolla, California 92037-1508

Director of Investigations: Dr. Robin Allen
Telephone: (858) 546-7100
Fax: (858) 546-7133
Web Address: http://www.iattc.org

Budget

As defined by the Tuna Conventions Act, the expenses of the Commission are to be shared by the Contracting Parties in relation to the proportion of the total catch by each Party from the fisheries covered by the Convention and the portion of the catch utilized by each Party. "Utilized" is defined as eaten fresh, or processed for internal consumption or export. Thus, tunas landed by a Party and subsequently exported in the round are not included in computing that Party's contribution, but those which are exported canned are included. The Party proportions are calculated from statistics compiled by Commission staff for calendar years previous (about 3 years) to the Fiscal Year (FY) budget in question. Historically, the United States has paid the bulk (80-90 percent) of the Commission's budget. However, U.S. utilization of the catch, as defined by the Convention, from the eastern Pacific Ocean (EPO) has greatly diminished since the U.S. tuna market became "dolphin safe" in mid-1994, thereby causing the U.S. required contribution to be diminished. Further, the Department of State has indicated that the U.S. contribution will be reduced, and the IATTC is developing a new framework for determining contributions. The IATTC budget for FY 2002 was $4,023,389; the United States agreed to contribute $2,100,000.

U.S. Representation

A. Appointment Process:

The Tuna Conventions Act of 1950 provides that the United States shall be represented by a total of not more than four Commissioners, of which at least one must be an officer of NOAA, one must be chosen from a nongovernmental conservation organization, and not more than one can reside elsewhere than in a state whose vessels maintain a substantial fishery in the area of the Convention. The Commissioners are appointed by and serve at the pleasure of the President.

B. U.S. Commissioners:

Dr. Rebecca Lent (alternate)
Deputy Director, National Marine Fisheries Service
1315 East-West Highway
SSMC3
Silver Spring, MD 20910

M. Austin Forman
888 Southeast Third Avenue, Suite 501
Fort Lauderdale, FL 33316

James T. McCarthy
18708 Olmeda Place
San Diego, CA 92128

C. Advisory Structure:

The Act requires the U.S. Commissioners to appoint an Advisory Committee composed of not less than 5 nor more than 15 persons selected from the groups participating in the fisheries included under the Convention and from nongovernmental conservation organizations. The terms of the Advisory Committee members are fixed by the Commissioners. The Advisory Committee members are invited to attend all non-executive meetings and given opportunity to examine and to be heard on all proposed programs, reports, recommendations, and regulations of the Commission.

Description

A. Mission/Purpose:

The IATTC was established to "(1) study the biology of the tunas and related species of the EPO with a view to determining the effects that fishing and natural factors have on their abundance, and (2) to recommend appropriate conservation measures so that the stocks of fish can be maintained at levels which will afford maximum sustainable catches." The Commission's duties were broadened in 1976 to include work on the problems arising from the tuna-dolphin relationship in the EPO.

B. Organizational Structure:

The IATTC consists of a Commission composed of national sections and a Director of Investigations. The Commission selects a Chairman and a Secretary from different national sections for 1-year terms to be succeeded by representatives of different nationalities.

The principal duties of the Commission are (1) to study the biology of the tropical tunas, tuna baitfish, and other kinds of fish taken by tuna vessels in the EPO and the effects of fishing and natural factors upon them, and (2) to recommend appropriate conservation measures, when necessary, so that these stocks of fish can be maintained at levels which will afford the maximum sustained catches. Approval of decisions, resolutions, recommendations and publications is only by consensus of all Parties to the Commission. National sections may consist of from one to four members appointed by the governments or the respective Contracting Parties. Each national section may establish an advisory committee which is invited to attend non-executive sessions of the Commission meetings. The Director of Investigations is appointed by the Commission and is responsible for drafting programs of

investigations, budget formulation, accounting and administrative support, directing technical staff, coordinating Commission work with other organizations and preparing administrative, scientific, and other reports of the Commission.

C. Programs:

To fulfill its mission, the Commission carries out an extensive research and data collection program. This program is conducted by a permanent, internationally recruited staff selected and employed by the Director of Investigations, who is responsible to the Commission.. In addition, the IATTC has established a number of work groups to address specific management and organizational issues and has expanded the scope and nature of its management recommendations in recent years.

Fisheries Conservation and IATTC Management

Yellowfin Tuna: The IATTC recommends proposals for joint action by the member governments aimed at maintaining yellowfin tuna resources at a high level (generally at maximum sustainable yield). From 1966 through 1979, the Commission set annual catch quotas on yellowfin tuna, usually below 200,000 mt, and member nations implemented them. Beginning in 1979, however, this conservation program was effectively nullified, in large part, because several important member countries, including Mexico, withdrew from the Commission. As a result, the remaining member nations became reluctant to agree to implement a total catch quota when there was no assurance that non-member fishing countries, such as Mexico, would abide by the quota. Nevertheless, the Commission continued to recommend an annual international yellowfin tuna catch quota within the Commission Yellowfin Regulatory Area (CYRA) as the basis for all participants in the fisheries to evaluate the conservation needs of the resource.

Member countries agreed to resume implementing the annual yellowfin tuna quota system in 1998, in part because of the resolution of the tuna-dolphin issue (discussed below) allowed the Commission to refocus on fishery management. As the productivity of the yellowfin tuna stock apparently has been quite good in recent years, the overall catch quota for 2001was 310,000 mt, and the quota was reached before the end of the year.

Bigeye Tuna: The Commission first set a catch quota for bigeye tuna in the EPO purse seine fishery in 1998 out of concern that the increasing purse seine effort on floating objects and fish aggregating devices (FADs) was resulting in unsustainable harvests of small bigeye tuna. In addition, the Commission adopted resolutions to prohibit the use of tender vessels and to prohibit the at-sea transfer of purse seine-caught tuna. These actions were taken to limit effective fishing capacity and reduce the risk of overcapacity and overfishing. Such harvests could result in long-term damage to the productivity of the bigeye tuna stock. A quota on juvenile bigeye tuna was set in 2001 but was not reached.

Other Conservation and Administration Issues: The Commission is interested in taking an aggressive position in fishery management in the future. There are now four work groups dealing with specific fishery management issues: (1) bycatch, (2) control of the fishery on floating objects/FADs, (3) fleet capacity; and (4) compliance. In 2000, a pilot project was agreed to for 2001 under which all tuna brought on board a purse seine vessel would be retained; thus preventing waste associated with discard of dead juvenile fish and possibly resulting in vessels aborting sets and releasing live fish rather than having to retain low value fish on board. The pilot project was extended to run through 2002. While no specific restrictions on FAD fishing have been instituted, the IATTC has considered limiting the number of FADs a vessel may carry and has implemented the bigeye tuna quota by prohibiting floating object (including FAD) sets after the quota is reached. As noted above, the IATTC also has banned tender vessels and at-sea transshipments from purse seine vessels, which effectively limit some FAD

fishing. The IATTC did agree for one year to a fleet capacity limit, but the agreement was not renewed; this continues to be a major concern. A Compliance Working Group was established and met for the first time in 2000 with the goal of promoting more complete and uniform implementation of and compliance with IATTC management recommendations. In addition, there are work groups addressing renegotiation of the Convention establishing the Commission and finance issues. The Working Group on Negotiations is close to completing a draft of a new convention for consideration by the Parties at the annual meeting in 2002. The Finance Working Group has developed a proposed new approach by which the contributions of the various Parties to the financing of the IATTC would be calculated each year, recognizing the different levels of interest in the fisheries and the scale of development of the Parties. This scheme may be applied for the first time in determining contribution levels for 2003.

Staff Contacts

Headquarters:

Don Knowles
Director, Office of Protected Species (F/PR)
National Marine Fisheries Service, NOAA
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2332
Fax: (301) 713-0376

Southwest Region:

Mr. Rod McInnis
Acting Administrator, Southwest Region (F/SWR)
National Marine Fisheries Service, NOAA
501 W. Ocean Boulevard, Suite 4200
Long Beach, CA 90802-4213
Telephone: (562) 980-4001
Fax: (562) 980-4018

Department of State:

William Gibbons-Fly, Deputy Director
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C. Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Basic Instrument for the International Pacific Halibut Commission -- IPHC)

Basic Instrument

Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, 1953 (TIAS 2900).

Implementing Legislation

Northern Pacific Halibut Act of 1982 (as amended: 50 Stat. 325; 67 Stat. 494; 79 Stat. 902; 97 Stat. 78).

Member Nations

The United States and Canada.

Commission Headquarters

International Pacific Halibut Commission
P.O. Box 95009
University Station
Seattle, WA 98145-2009

Director: Dr. Bruce Leaman
Telephone: (206) 634-1838
Fax: (206) 632-2983
Web address: http://www.iphc.washington.edu

Budget

The base budget for the fiscal year running from October 1, 2001, through September 30, 2002, is US$3,054,981. The budget is supplemented by funds generated by Commission staff from the sale of halibut gathered during stock assessment cruises. The United States will contribute $2,100,000, and Canada will contribute $800,000.

U.S. Representation

A. Appointment Process:

The United States is represented on the IPHC by three Commissioners who are appointed by the President for a period of 2 years (with eligibility for reappointment). Of these Commissioners, one must be a NOAA official, one must be a resident of Alaska, and one must be a nonresident of Alaska. In addition, one of these three Commissioners must be a voting member of the North Pacific Fishery Management Council. The Secretary of State, in consultation with the Secretary of Commerce, may designate from time to time Alternate U.S. Commissioners to the IPHC.

B. U.S. Commissioners:

James Balsiger, Ph.D.
Administrator, Alaska Region
National Marine Fisheries Service, NOAA
P.O. Box 21668
Juneau, AK 99802

Andrew Scalzi
41685 Redoubt Circle
Homer, AK 99663-9215

Ralph Hoard
Executive Vice President
Icicle Seafoods, Inc.
4019 21st Avenue West
P.O. Box 79003
Seattle, WA 98119

C. Advisory Structure:

There are no formal provisions for a U.S. Advisory Committee to IPHC, although informal groups made up of U.S. and Canadian industry representatives, known as the IPHC Conference Board and the Processor Advisory Group, do attend and provide recommendations to annual Commission meetings.

Description

A. Mission/Purpose:

The IPHC was created to conserve, manage, and rebuild the halibut stocks in the Convention Area to those levels which would achieve and maintain the maximum sustainable yield from the fishery.

The halibut resource and fishery have been managed by the IPHC since 1923. The IPHC was established by a Convention between the United States and Canada, which has been revised several times to extend the Commission's authority and meet new conditions in the fishery. The most recent change, a protocol, was concluded in 1979, and involved an amendment to the 1953 Halibut Convention.

"Convention waters" are defined as the waters off the west coasts of Canada and the United States, including the southern as well as the western coasts of Alaska, within the respective maritime areas in which either Party exercises exclusive fisheries jurisdiction. For purposes of the Convention, the "maritime area" in which a Party exercises exclusive fisheries jurisdiction includes without distinction areas within and seaward of the territorial sea or internal waters of that Party.

B. Organizational Structure:

The IPHC consists of a Commission and staff. The Commission consists of six members; three representatives appointed by each Contracting Party. All decisions of the Commission are made by a concurring vote of at least two of the Commissioners of each Contracting Party. The research programs and regulatory actions of the Commission are coordinated by the IPHC staff, in consultation with the Commissioners. The IPHC staff currently consists of over 30 employees, including fishery biologists, administrative personnel and support staff.

In addition, the Commission is advised by a Conference Board, a Processor Advisory Group (PAG), and a Research Advisory Board. The Conference Board is a panel representing U.S. and Canadian commercial and sport halibut fishers. Created in 1931 by the Commission, the Board provides the industry/sport fishermen's perspective on Commission proposals presented at Annual Meetings. Members of the Board are designated by union and vessel owner organizations from both nations. Created in 1996, the Processor Advisory Group (PAG) represents halibut processors. Like the Conference Board, the PAG lends its opinion regarding Commission proposals and offers
recommendations at IPHC Annual Meetings. In 1999, the IPHC membership created the Research Advisory Board (RAB), which consists of both fishers and processors who offer suggestions to the Director and staff on where Commission research should focus.

C. Programs:

Under the Protocol to the Convention, the Commission retains a research staff and recommends, for the approval of the Parties, regulations designed to achieve the purpose of the Convention. The Protocol provides for: (1) the setting of quotas in the Convention Area, and (2) joint regulation of the halibut fishery in the entire Convention Area under Commission regulations. Neither U.S. nor Canadian halibut fishing vessels are presently allowed to fish in the waters of the other country. In 1991, Canada implemented an individual vessel quota (IVQ) system; a similar, individual fishing quota (IFQ) system for Alaska was implemented by the United States in 1995.

D. Conservation and Management Measures:

2000 Interim Meeting: The IPHC held its Interim Meeting on November 28-29, 2000, in Seattle, Washington. At its 2000 Interim Meeting, IPHC staff and Commissioners discussed the 2000/2001 Commission budget and related financial items, preliminary reports on 2000 research activities, and fishery and management issues for the upcoming year. The IPHC staff also presented progress reports of the 2000 fishery to date. In addition, data on catches of Area 2B halibut landed at Neah Bay, by week, to be provided for the Annual Meeting. A new budget with provisional appropriation funds of $1.881 million identified in the U.S. State Department budget and a catch-based, proportional matching amount from Canada to be developed was also discussed. Staff was asked to develop a proposal to have a physiologist examine the possibility of reversing chalkiness in landed fish, through chemical or other means. A scholarship framework was agreed to be drafted.

While catch limits and stock assessments were not discussed at the 2000 Interim Meeting, it was agreed that the Commission would make recommendations for catch limits by early December. A final determination would then be made at the IPHC Annual Meeting in January 2001, with appropriate input from the Conference Board and PAG.

2001 Annual Meeting**:** The 77th Annual Meeting of the IPHC was held in Vancouver, British Columbia, on January 22-25, 2001. At the 2001 Annual Meeting, the Commission considered the input of its scientific staff, the Conference Board and the PAG, and agreed to a catch limit for 2001 totaling 73,180,000 pounds, compared to 67,500,000 pounds in 2000. This increase was the result of two major changes in the data used for the 2000 stock assessment. The first was the removal of a precautionary adjustment for a bait change in the IPHC setline surveys, that was made in the 1999 assessment. That adjustment had reduced the population estimates by 20-30% in the eastern and central Gulf of Alaska (Areas 2 and 3A). Experiments conducted during 2000 concluded that the change in baits did not require the adjustment to the time series of survey catch rates. The major increase in biomass estimated for 2001 over that for 2000 resulted from removal of this adjustment. The second major change in assessment data for this year was the general increase in survey catch rates for the central and eastern parts of the stock range, particularly in Area 3A. This increase was associated primarily with higher catches of fish up to about age 13. Weight at age also increased somewhat in Area 3A, after declining for most of the late 1980s and

1990s. However, survey catch rates were down in Area 3B and portions of Area 4. The staff has considerable uncertainty about stock productivity in Area 4 and recommended maintaining existing catch limits for the area while an improved framework for setting catch limits, that is less dependent on changes in Area 3A, is developed. Staff will report on this project at the 2002 Annual Meeting. A proposed tagging program for the stock will also provide information on exploitation rates, when tag recovery results are obtained.

Recruitment to the stock has declined in recent years from the record high levels seen during 1985-1995. Year classes originating during the 1989-1993 period appear below average in strength and while the 1993-1995 year classes have appeared generally stronger in trawl surveys, they have not yet recruited to the exploitable stock. Commission scientists also note that oceanographic indices normally associated with halibut recruitment indicate poor conditions for generation of halibut year classes in the 1998-2000 period. Stock biomass is, therefore, expected to decline from current levels although the magnitude and rate of this decline cannot be assessed yet.

2001 Catch Limits: The following catch limits (in pounds) for 2001 were adopted for Area 2A (California, Oregon, and Washington), Area 2B (British Columbia), Area 2C (southeastern Alaska), Area 3A (central Gulf), Area 3B (western Gulf), Area 4A (eastern Aleutians), Area 4B (western Aleutians), Area 4C (Pribilof Islands), Area 4D (northwestern Bering Sea), and Area 4E (Bering Sea flats):

Area	Catch Limit (Pounds)
2A (total)	1,140,000
2B	10,510,000
2C	8,780,000
3A	21,890,000
3B	16,530,000
4A	4,970,000
4B	4,910,000
4C	2,030,000
4D	2,030,000
4E	390,000
Total:	73,180,000

The catch limits for Regulatory Areas 4C, 4D, and 4E reflect the catch-sharing plan implemented by the North Pacific Fishery Management Council (NPFMC). The NPFMC catch sharing plan in Area 4 allows the Commission to set biologically-based catch limits for Areas 4A, 4B, and a combined Area 4C-D-E. The catch limits for the fisheries in Area 2A reflect the catch-sharing plan implemented by the Pacific Fishery Management Council (PFMC). Area 2A catch sharing is as follows:

2A Non-treaty directed commercial fisheries (south of 2A-1)	192,926
2A Non-treaty incidental catch in salmon troll	34,046
2A Non-treaty incidental catch in sablefish fishery	47,946
2A Treaty Indian commercial	406,500
2A Treaty Indian ceremonial and subsistence	17,500
(year-round)	214,110
2A Sport - North of Columbia River	226,972
2A Sport - South of Columbia River	1,140,000
Total	

2001 Seasons: The staff reported to the Commission on its investigation of the biological, regulatory, enforcement, and logistical considerations associated with an extended halibut fishing season. Based primarily on concerns about interceptions of migrating fish from different regulatory areas during winter fishing and administrative concerns identified by the Parties, the staff recommended no change to the existing March 15-November 15 season.
The Commission therefore recommended that the treaty Indian commercial fishery in Area 2A, the Canadian Individual Vessel Quota (IVQ) fishery in Area 2B, and the United States Individual Fishing Quota (IFQ) fisheries in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E commence at 12 noon local time on March 15 and terminate at 12 noon local time on November 15.

In Area 2A, six 10-hour fishing periods for the non-treaty directed commercial fishery were recommended for June 27, July 11, July 25, August 8, August 22, and September 5. All fishing periods will begin at 8:00 am and end at 6:00 pm local time, and will be further restricted by fishing period limits. Fishing dates for an incidental commercial catch halibut fishery will be established under United States domestic regulations established by National Marine Fisheries Service (NMFS), and will be concurrent with salmon troll fishing seasons in Area 2A. The remainder of the Area 2A catch-sharing plan, including sport-fishing seasons, will be determined under regulations promulgated by NMFS.

2001 Regulatory Changes: The Area 2A licensing regulations remained the same as in 2000, with the exception that vessels fishing in the incidental halibut fishery concurrent with the sablefish fishery north of Point Chehalis are also required to get a commercial license from the Commission. Again, fishers must choose between a commercial or sport charter license. Commercial fishers must choose between a license for (1) retaining halibut caught incidentally during the salmon troll fishery, or (2) fishing in the directed commercial halibut (south of Point Chehalis) and/or retaining halibut caught incidentally in the primary sablefish fishery (north of Point Chehalis). The deadline dates for receiving license applications changed slightly--April 30 for the directed commercial fishery and April 2 (as March 31 is on Saturday) for the incidental halibut fishery concurrent with the salmon troll fishery. A vessel that has a commercial halibut license cannot be used for sport fishing for halibut.

The Commission adopted regulations to allow the possession of halibut fillets on board a vessel up to 6 p.m. on the calendar day following the offload, if fillets are from legally retained commercially caught halibut and the vessel is in the same port where the landing occurred.

The Commission also held extensive discussions on the present and future status of landing and holding live halibut for subsequent sale after the halibut fishing season closes. Although a Commission regulation requiring that fish be offloaded with gills and entrails removed effectively prohibits live fish landing. Canada has specifically chosen to reject this regulation. The existing Commission regulation was implemented to improve fish quality and address sampling concerns, rather than to prohibit live fish landing. The Commission will continue to examine the issue of live fish landing but made no changes to its existing regulation requiring the dressing of fish prior to offloading. The staff will work with Canadian government authorities to ensure that the live fish holding operations in Canada meet Commission requirements concerning conservation and data capture.

Other Actions: The recommended regulations for the 2001 halibut fishery will become official as soon as they are approved by the Canadian and United States Governments. The Commission will publish and distribute regulation pamphlets.

The United States Government Commissioner, James Balsiger, was elected Chairman for the coming year. The Canadian Government Commissioner, Richard Beamish, was elected as Vice Chairman.

Future Meetings: The next Annual Meeting of the Commission will be held in Seattle, Washington from January 28-31, 2002.

Staff Contacts

NOAA Fisheries:

Patrick Moran
International Fisheries Division (F/SF4)
Office of Sustainable Fisheries
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13137
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313

Department of State:

Nikki Brajevich
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520
Telephone: (202) 647-2335
Fax: (202) 736-7350

Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean (Basic Instrument for the North Pacific Anadromous Fish Commission – NPAFC)

Basic Instrument

Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, 1992 (hereafter referred to as the "Convention," Senate Treaty Document 102-30, 102d Congress, 2d Session).

Implementing Legislation

The North Pacific Anadromous Stocks Act of 1992 (Title VIII of P.L. 102-567).

Member Nations

Canada, Japan, the Russian Federation, and the United States.

Commission Headquarters

North Pacific Anadromous Fish Commission
Suite 502, 889 West Pender Street
Vancouver, B.C., Canada V6C 3B2

Executive Director: Mr. Vladimir Fedorenko
Telephone: (604) 775-5550
Fax: (604) 775-5577
E-Mail: secretariat@npafc.org
Web address: http://www.npafc.org/

Budget

The approved NPAFC budget for Fiscal Year (FY) 2001/2002 (July 1, 2001-June 30, 2002) is Can$540,000, with each Party contributing Can$135,000. The approved budget for FY 2002/2003 is the same, Can$540,000 with each Party contributing Can$135,000.

U.S. Representation

A. Appointment Process:

The United States is represented on the Commission by not more than three U.S. Commissioners who are appointed by the President and serve at his pleasure. Each U.S. Commissioner is appointed for a term not to exceed 4 years, but is eligible for reappointment. Of the three Commissioners, one must be an official of the U.S. Government, one a resident of the State of Alaska, and the third a resident of the State of Washington. Candidates for the non-Federal Commissioner positions must be knowledgeable or experienced concerning anadromous stocks and ecologically-related species of the North Pacific Ocean.

In addition, the Secretary of State, in consultation with the Secretary of Commerce, may designate from time to time Alternate U.S. Commissioners to the NPAFC. The number of Alternate Commissioners that may be designated to a Commission meeting is limited to the number of authorized U.S. Commissioners that will not be

present.

B. U.S. Commissioners:

James W. Balsiger
Administrator, Alaska Region
National Marine Fisheries Service, NOAA
P.O. Box 21668
Juneau, AK 99802-1668

Guy R. McMinds
P.O. Box 67
Taholah, WA 98587

Frances Ann Ulmer
Lieutenant Governor, State of Alaska
P.O. Box 110015
Juneau, AK 99811

C. Advisory Structure:

The North Pacific Anadromous Stocks Act of 1992 established an Advisory Panel to the United States Section of the NPAFC. The Advisory Panel shall be composed of: (1) the Commissioner of the Alaska Department of Fish and Game; (2) the Director of the Washington Department of Fisheries and Wildlife; (3) one representative of the Pacific States Marine Fisheries Commission; and (4) 11 members (6 residents of the State of Alaska and 5 residents of the State of Washington) appointed by the Secretary of State, in consultation with the Secretary of Commerce, from among a slate of 12 persons nominated by the Governor of Alaska and a slate of 10 persons nominated by the Governor of Washington. There must be at least one representative of commercial salmon fishing interests and one representative of environmental interests on each of the Governors' slates. As is the case with NPAFC Commissioners, Advisors must be knowledgeable of North Pacific anadromous stocks and ecologically related species. Advisors serve for a term not to exceed 4 years, and may not serve more than two consecutive terms.

Description

A. Mission/Purpose:

The NPAFC serves as a forum for promoting the conservation of anadromous stocks and ecologically-related species, including marine mammals, sea birds, and non-anadromous fish, in the high seas area of the North Pacific Ocean. This area, as defined in the Convention, is "the waters of the North Pacific Ocean and its adjacent seas, north of 33° North Latitude beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured." In addition, the NPAFC serves as the venue for coordinating the collection, exchange, and analysis of scientific data regarding the above species within Convention waters. It also coordinates high seas fishery enforcement activities by member countries (the Convention prohibits directed fishing for salmonids and includes provisions to minimize the incidental take of salmonids in other fisheries in the Convention area).

B. Organizational Structure:

The NPAFC has three standing committees: the Committee on Enforcement, the Committee on Finance and Administration, and the Committee on Scientific Research and Statistics. The committees are responsible for providing accurate and timely advice to the Commission in the areas relating to the finances of the Secretariat and the scope of the enforcement activities and scientific research conducted under the auspices of the Commission.

C. Programs:

The NPAFC held its Ninth Annual Meeting on October 28-November 2, 2001, in Victoria, British Columbia, Canada. Delegations from each of the member nations (Canada, Japan, the Russian Federation, and the United States) consisted of official Representatives plus a number of experts and advisors. Representatives from the North Pacific Marine Science Organization (PICES), the International Council for Exploration of the Sea (ICES), the International Baltic Sea Fishery Commission (IBSFC), the Pacific Salmon Commission (PSC), the North Atlantic Salmon Conservation Organization (NASCO), the International Pacific Halibut Commission (IPHC), and the Republic of Korea also attended the meeting as observers.

As is the norm for NPAFC Annual Meetings, the majority of the work of the Commission took place at the committee level. The recommendations of each committee on its various issues were presented to the Commission in the form of a report for its consideration. These reports were formally adopted by the Commission at its final plenary session. The major issues for each committee are briefly discussed below.

Committee on Enforcement (ENFO):

The ENFO, chaired by Captain Vince O'Shea of the United States Coast Guard, reviewed unauthorized salmon fishing activities in the Convention Area in 2001 on the basis of information provided by the Parties. During 2001, there were neither sightings nor seizures of vessels fishing illegally in the Convention Area. In 2000, the Parties detected two vessels suspected of conducting illegal large-scale high seas driftnet fishing in the Convention Area. In 1999, there were ten vessels detected and three vessels were seized.

Several NPAFC enforcement activities took place in 2001, which contributed to improved enforcement cooperation and coordination. These included the Pre-Season Enforcement Planning Meeting held in Victoria, B.C. in January, the Ad-Hoc Patrol Coordination Group hosted at the USCG District headquarters in Juneau, Alaska in April, and the Enforcement Evaluation and Coordination Meeting (EECM) in Petropavlosk-Kamchatsky in May. A highlight of the EECM was the first ever enforcement flight of an USCG HC-130 aircraft patrol staged out of Petropavlosk-Kamchatsky. The patrol detected the Russian fishing vessel *SAKFRAKHT-3* illegally driftnet fishing within the Russian Exclusive Economic Zone, within 15 NM of the NPAFC Convention Area. The Russian Federal Border Service Ship *DZERZHINSKY* immediately diverted, intercepted and seized the ship.

In supporting enforcement efforts for 2002, the Parties agreed to maintain enforcement efforts at similar levels as 2001 to combat the continued threat of high seas fishing for salmon in the Convention Area.

Committee on Finance and Administration (F&A):

The F&A, chaired by Gerry Kristanson of Canada, considered and adopted the 2001/2002 budget. Administrative and financial topics were discussed and approved, including the creation of an NPAFC Special Fund, for the purpose of accepting financial contributions from agencies of the Contracting Parties for the specific purpose of supporting joint scientific research projects. These contributions to the Special Fund are contributions in addition to the annual contribution each party makes. The Special Fund will also accept voluntary contributions offered by other than Contracting Parties.

All Parties expressed their mutual concern over the projected deficit status of the NPAFC for the next three fiscal years and possible subsequent years. The Parties agreed that the current level of contribution is not adequate and that an increase in country contributions will be required. The F&A Committee recommended that the NPAFC consider the necessity of increasing the contributions and instructed the Secretariat to prepare a report on the changes necessary to ensure the NPAFC's healthy financial state for consideration at the next Annual Meeting.

Committee on Scientific Research and Statistics (CSRS):

The CSRS, chaired by Yukimasa Ishida of Japan, reviewed research information and plans presented by scientific representatives and compiled catch statistics for the preceding year. The committee reported preliminary 2000 commercial salmon catch statistics in Canadian, Japanese, Russian, and U.S. waters (commercial catches by foreign fleets in the Russian EEZ are not included) as follows:

Canada -18,926 metric tons (16,860 metric tons in 1999)
Japan - 164,736 metric tons (174,324 metric tons in 1999)
Russia - 195,605 metric tons (225,261 metric tons in 1999)
U.S. - 332,789 metric tons (418,291 metric tons in 1999)

The 2000 total catch for all Parties was 712,056 metric tons (333.708 million fish). The 1999 total was 834,736 metric tons (451.756 million fish). The foreign catch in the Russian Far East was 14,946 tons, compared to 16,825 metric tons harvested in 1999.

Collectively, the Parties released nearly 4.8 billion juvenile salmon into the North Pacific Ocean from hatcheries in 2000. In 1999, 4.7 billion juvenile salmon were released. Of this total in 2000, the United States accounted for 1.8 billion fry, or about 37.5 percent of the total hatchery releases.

At the 2001 annual meeting of the NPAFC, the Parties agreed to plan and coordinate a new international program that will form the basis for long-term, large-scale ecosystem research on salmon in the Bering Sea. This new plan, the Bering-Aleutian Salmon International Survey (BASIS), calls for four synoptic 1-month seasonal (spring, summer, fall, winter) surveys per year for five years. BASIS was broadly discussed and conceptually adopted. BASIS directly addresses the key elements of the 2001-2005 NPAFC Science Plan and provides the first ever synoptic seasonal information on distribution, abundance and stock origins of all species, age, and maturing groups of salmon in the Bering Sea. BASIS involves sampling at approximately 105 sampling stations spaced at regular intervals across the Bering Sea: from the Aleutians north to 64 degrees North latitude, and from the Alaska to Russia coasts. Sampling would consist of surface trawls to capture salmon and other fish, plankton tows, and sampling of ocean conditions (e.g., salinity, temperature, currents). Coordination of sampling by vessels of four nations would be through the NPAFC. Work plans will be further refined at the Research Planning and Coordinating Meeting in Vancouver, B.C., during March 2002.

The CSRS, with the Commission's support, discussed ways to increase cooperation with NASCO, IBSFC, and other relevant international organizations to examine research and data needed to meet the common challenges facing salmon. A joint international symposium on, *The Joint Meeting on the Causes of Marine Mortality of Salmon in the North Pacific and North Atlantic Oceans and in the Baltic Sea*, will be held in Vancouver, Canada, during March 14-15, 2002.

Tenth Annual Meeting: The Tenth Annual Meeting of the NPAFC will be held in Vladivostok, Russia in October 2002.

Staff Contacts

NOAA Fisheries:

Mark Wildman
International Fisheries Division (F/SF4)
Office of Sustainable Fisheries

National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13115
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313

E-mail: mark.wildman@noaa.gov

Department of State:

Sally Cochran
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street , NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2883
Fax: (202) 736-7350

Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon (Basic Instrument for the Pacific Salmon Commission – PSC)

Basic Instrument

Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, 1985.

Implementing Legislation

Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3631).

Member States

The United States and Canada.

Commission Headquarters

Pacific Salmon Commission
1155 Robson Street, Suite 600
Vancouver, British Columbia
Canada V6E 1B5

Executive Secretary: Mr. Don Kowal
Telephone: (604) 684-8081
Fax: (604) 666-8707
Web address: http://www.psc.org/Index.htm

Budget

Each Party contributed Can$1,179,000 to the approved Commission budget for Fiscal Year 2001-2002 (April 1, 2001-March 1, 2002). The new budget for the fiscal year that starts April 1, 2002, is Can$2,798,496 with contributions of Can$1,346,738 from each Party.

U.S. Representation

A. Appointment Process:

The appointment process for U.S. members of the PSC includes several unique features. The legislation implementing the treaty specifies: "The United States shall be represented on the Commission by four Commissioners who are knowledgeable or experienced concerning Pacific salmon, to be appointed by and serve at the pleasure of the President. Of these, one shall be an official of the U.S. Government who shall be a non-voting member of the U.S. Section; one shall be a resident of the State of Alaska and shall be appointed from a list of at least six qualified individuals nominated by the Governor of that State; one shall be a resident of the States of Oregon or Washington and shall be appointed from a list of at least six qualified individuals nominated by the Governors of those States; and one shall be appointed from a list of at least six qualified individuals nominated by the treaty Indian Tribes of the States of Idaho, Oregon, or Washington. Two of the initial appointments shall be for 2-year terms; all other

appointments shall be for 4-year terms." Legislation also provides for the designation of an Alternate Commissioner for each Commissioner. In the absence of a Commissioner, the Alternate Commissioner may exercise all functions of the Commissioner.

B. Commissioners:

Mr. James Pipkin (U.S. Chair)
Special Federal Negotiator for Pacific Salmon
U.S. Department of the Interior
1849 C Street N.W., Room 4411
Washington, D.C. 20240

Mr. Kevin Duffy
Deputy Commissioner
Alaska Department of Fish and Game
P.O. Box 25526
Juneau, AK 99802-5526

Mr. Curt Smitch
Special Assistant, Office of the Governor
P.O. Box 43113
Olympia, WA 98504-3113

Mr. W. Ron Allen
Tribal Chairman
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, WA 98382

C. Alternate Commissioners:

Mr. Larry Rutter
National Marine Fisheries Service
Olympia Field Office
510 Desmond Dr., S.E., Suite 103
Lacey, WA 98503

Mr. Jev Shelton
United Southeast Alaska Gillnetters Association
1670 Evergreen Avenue
Juneau, AK 99801

Mr. Rollie Rousseau
16420 N.W. Joscelyn
Beaverton, OR 97006

Mr. Don Sampson
Executive Director
Columbia River Inter-Tribal Fish Commission
729 N.E. Oregon St., Suite 200
Portland, OR 97232

D. Advisory Structure:

No formal advisory group currently exists.

Description

A. Mission/Purpose:

The PSC's mission is to serve as a forum for cooperation between the United States and Canada in the establishment of general fishery management regimes for the international conservation and harvest sharing of intermingling North Pacific salmon stocks. Implementation of the principles of the Pacific Salmon Treaty should enable the two countries, through better conservation and enhancement, to "prevent overfishing and provide for optimum production; and provide for each Party to receive benefits equivalent to the production of salmon originating in its waters." The Commission also serves as a forum for consultation between the Parties on their salmonid enhancement operations and research programs.

B. Organizational Structure:

The Commission has a complex organizational structure which includes four regional Panels (Northern, Transboundary, Fraser River, and Southern) consisting of 23 U.S. Panel Members (15 of whom are appointed by the Secretary of Commerce). Each Panel member on the Northern, Fraser River, and Southern Panels has an Alternate Member (16 total, 9 of whom are appointed by the Secretary of Commerce). The Northern Panel's stocks of concern are those originating in rivers between Cape Suckling in Alaska and Cape Caution in British Columbia. The Transboundary Panel's stocks of concern originate in rivers in British Columbia that flow to the sea through Southeast Alaska. The Fraser River Panel is the only panel with regulatory responsibility. It is responsible for stocks of sockeye and pink salmon originating in the Fraser River. The Southern Panel is concerned with stocks originating in rivers south of Cape Caution (not including Fraser River pink and sockeye salmon).

The Panels are responsible for providing advice to the Commission on the management regimes for the intercepting salmon fisheries in those regions, i.e., those in which one or both countries intercept salmon spawned in the other country. This is done by reviewing technical data on annual fishing plans, regulations, and the salmon enhancement programs of each country. Based on the advice provided by the Panels, the PSC formulates management recommendations, including catch limits and related regulations, to present to the two governments. These recommendations become effective upon approval by both governments.

C. Programs:

On June 30, 1999, the United States and Canada signed a new Pacific Salmon Agreement, thereby resolving one of the most contentious issues in the U.S.-Canada relationship. The agreement concluded 7 years of negotiations and establishes new fishing regimes under the 1985 Pacific Salmon Treaty to protect and rebuild salmon stocks.

The long-term agreement secures a management and harvest-sharing framework for the next decade. Most of the new fishery arrangements will be in effect for 10 years, beginning in 1999. The arrangement concerning the management of Fraser sockeye and pink salmon will be in effect for 12 years, also beginning in 1999.

The agreement establishes abundance-based fishing regimes, based on run strength, for the major salmon intercepting fisheries in the United States and Canada. Larger catches will be allowed when abundance is higher and catches will be constrained in years when abundance is down. These regimes are designed to implement the conservation and harvest sharing principles of the Pacific Salmon Treaty.

Also under the agreement, two bilaterally-managed regional funds were established. The funds will be used to improve fisheries management and aid efforts to recover weakened salmon stocks. Subject to availability of

appropriated funds, the United States will contribute US$75 million and US$65 million to a northern and southern fund, respectively, over a 4-year period. The agreement also highlights the importance of habitat protection and restoration to achieving the log-term objectives of the Parties relative to salmon. It also includes a commitment by the two countries to improve how scientific information is obtained, shared, and applied to the management of the resource.

Overview of the Agreement:

Transboundary Rivers (Chapter 1): This agreement specifies arrangements for sockeye, coho, chinook, and pink salmon management for several rivers that flow from Canada to the Pacific Ocean through the Alaskan panhandle, including the Stikine, Taku and Alsek rivers. An attachment to the agreement describes programs and associated costs for joint enhancement of sockeye salmon in the Taku and Stikine rivers.

Northern British Columbia and Southeast Alaska (Chapter 2): This agreement addresses the management of sockeye, pink and chum salmon fisheries in southeast Alaska and northern British Columbia. It specifies how the fisheries will be managed to achieve conservation and fair sharing of salmon stocks that intermingle in the border area. The fixed catch ceilings contained in the expired agreements are replaced with abundance-based provisions that allow harvests to vary from year to year depending on the abundance of salmon. Of particular note, because they resolve long-contentious issues, are agreements governing the harvest of sockeye in Alaska's purse seine fisheries near Noyes Island (District 104) and the gillnet fishery at Tree Point (District 101), and Canada's various marine net fisheries for pink salmon and its troll fishery for pink salmon in Canadian Area 1.

Chinook Salmon (Chapter 3): Because they pass through fisheries regulated by many jurisdictions in both Canada and the United States, chinook salmon have been the focus of increasing concern and controversy in recent years. Although some chinook populations are relatively healthy, particularly the "far north migrating stocks" that tend to migrate to the marine waters near Alaska to grow and mature, others have been so diminished in recent years that they have been listed by the U.S. federal government under the Endangered Species Act. The new chinook regime encompasses marine and certain freshwater fisheries in Alaska, Canada, Washington, and Oregon. All chinook fisheries will be managed based on abundance, replacing the fixed catch quotas that applied in previous regimes. Two types of fisheries have been designated: (1) those that will be managed based on the aggregate abundance of chinook salmon present in the fishery, and (2) those that will be managed based on the status of individual stocks or stock groups in the fishery.

The agreement provides a degree of flexibility to allow management agencies to decide how best to distribute the harvest impacts across their various fisheries to reflect domestic fishery priorities, provided the over-all reductions are achieved. For some chinook stocks, the total reductions will have to be much greater than the general obligation, due to the need to provide extra protection for certain very depressed stocks. The general obligation will not apply to hatchery stocks or healthy natural stocks that are achieving escapement objectives and can support harvest. In addition to predetermined harvest schedules, the agreement contains provisions that specify conditions under which even greater harvest reductions will apply. These so-called "weak stock" provisions serve as a safety valve to afford additional protection to stocks that may fail to respond to the recovery programs.

Fraser River Sockeye and Pink Salmon (Chapter 4): Although much of the structure of the previous agreements relating to the Fraser River is retained, the new agreement requires a reduction of the U.S. share of Fraser sockeye, which will be phased in by 2002. When completed, the U.S. share in Washington State will be 16.5 percent of the total allowable catch. (By way of contrast, the U.S. share specified in the first 4 years of the Pacific Salmon Treaty was approximately 26 percent.) The U.S. share of Fraser pink salmon will be 25.7 percent of the total allowable catch.

Coho Salmon (Chapter 5): The coho agreement essentially provides a blueprint and specifications (biological criteria) for a conservation-based regime for border area fisheries in southern British Columbia and Washington State. The specifics of the regime will be cooperatively and bilaterally developed. The new regime will include rules that will establish harvest limits in specified border area fisheries. The rules will be designed to limit exploitation rates on natural coho stocks to sustainable levels, taking into account all fisheries affecting the stocks, thereby improving the long term prospects of sustainable, healthy fisheries in both countries.

Southern British Columbia and Washington State Chum Salmon (Chapter 6):. This chapter incorporates certain refinements to the provisions that trigger fisheries directed at chum salmon in the Strait of Georgia and Puget Sound. These refinements will have only a minor impact on the allocations of catches, but will improve the effectiveness of the regime. Additionally, at the request of the United States, Canada has agreed to require the live release of chum salmon in certain of its net fisheries in its southern boundary areas at those times of the year when "summer chum"--a species recently listed as threatened under the ESA--may be present in the areas. Both countries agreed to collect better data relating to these fish.

The agreement can be found at: http://www.state.gov/www/global/oes/oceans/990630_salmon_index.html

Staff Contacts

NOAA Fisheries:

Northwest Region:

Charles K. Walters/David Cantillon
Pacific Salmon Treaty Section
National Marine Fisheries Service, NOAA
7600 Sand Point Way
Seattle, WA 98115-0070
Telephone: (206) 526-6155
Fax: (206) 526-6534

Department of State:

Nikki Brajevich
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea

Implementing Legislation

There is no implementing legislation for the Convention.

Parties

Japan, People's Republic of China (China), Republic of Korea (Korea), Republic of Poland (Poland), Russian Federation, and the United States.

Description

A. Mission/Purpose:

The objectives of the Convention are:

> "1. to establish an international regime for conservation, management, and optimum utilization of pollock resources in the Convention Area [the high seas area of the Bering Sea beyond the U.S. and Russian 200-mile jurisdictions];
>
> 2. to restore and maintain pollock resources in the Bering Sea at levels which will permit their maximum sustainable yield;
>
> 3. to cooperate in the gathering and examining of factual information concerning pollock and other living marine resources in the Bering Sea; and
>
> 4. to provide, if the Parties agree, a forum in which to consider the establishment of necessary conservation and management measures for other living marine resources in the Convention Area as may be required in the future."

B. Organizational Structure:

The Convention does not provide for a commission. It does, however, specify that Parties will convene an Annual Conference and establish a Scientific and Technical (S&T) Committee. The functions of the Annual Conference are, among other things, to establish an annual harvest level (AHL) for pollock in the Convention Area, establish an annual individual national pollock quota for each Party, adopt appropriate pollock conservation and management measures, establish a Plan of Work for the S&T Committee, and discuss cooperative enforcement measures and receive enforcement reports from each Party. Parties may also use the Annual Conference to determine the scope of any cooperative scientific research on, and conservation and management measures for, living marine resources other than pollock covered by the Convention.

The S&T Committee has the charge to "compile, exchange, and analyze information on fisheries harvests, fish stocks, and other living marine resources covered by this Convention in accordance with the Plan of Work established by the Annual Conference, and shall investigate other scientific matters as may be referred to it by the Annual Conference." The S&T Committee also makes recommendations to the Annual Conference regarding the conservation and management of pollock, including the AHL.

C. Advisory Body:

No formal U.S. advisory body has been legislated for the Convention. However, the U.S. Department of State has invited the 12-member "North Pacific and Bering Sea Fisheries Advisory Body," appointed to advise the U.S. Representative to the U.S.-Russia Intergovernmental Consultative Committee (ICC), to serve informally as the advisory body. This group consists of the following individuals:

-- The Director of the Department of Fisheries and Wildlife of the State of Washington;
-- The Commissioner of the Department of Fish and Game of the State of Alaska;
-- Five members appointed by the Secretary of State from a list of 10 nominees provided by the Governor of Alaska; and,
-- Five members appointed by the Secretary of State from a list of 10 nominees provided by the Governor of Washington.

D. Background:

The development in the mid-to-late 1980s of an extensive pollock fishery in the central Bering Sea area of the Aleutian Basin, beyond the U.S. and Russian 200-mile zones, was of great concern to U.S. and Russian fishing interests. The United States closed a domestic fishery as a result of the adverse impact this unregulated fishery, which was being prosecuted mostly by distantwater fishing nations, was having on U.S. pollock stocks. Concern also extended to bycatch problems associated with the fishery.

The central Bering Sea pollock fishery was being conducted by trawl vessels from China, Japan, Korea, Poland, and the former Soviet Union. Catch data submitted by these countries indicated that annual harvests in the area rose to approximately 1.5 million metric tons (mt) in the years leading up to 1989. Largely due to drastic declines in catch and catch-per-unit-effort from 1990, leading to a total catch of under 300,000 mt in 1991 and under 11,000 mt in 1992, the governments involved agreed to a voluntary suspension of fishing in the area for 1993-94. During the 2-year suspension of fishing, an agreed scientific monitoring program was carried out that showed no evidence of the recovery of the resource.

On February 11, 1994, the Parties completed 3 years of negotiations and initialed the Convention on the Conservation and Management of Pollock Resources in the central Bering Sea. Its major principles include: no fishing permitted in the Convention area unless the biomass of the Aleutian Basin stock exceeds a threshold of 1.67 million mt (if the parties cannot agree on an estimate of the biomass, the estimate of the Alaska Fisheries Science Center and its Russian counterpart will be used); allocation procedures; 100 percent observer and satellite transmitter coverage; and prior notification of entry into the Convention area and of transshipment activities.

On June 16, 1994, the Convention was signed by China, Korea, the Russian Federation, and the United States. Japan and Poland signed it on August 4, 1994, and August 25, 1994, respectively. The Convention entered into force on December 8, 1995, for Russia, Poland, China, and the United States, December 21, 1995, for Japan, and January 4, 1996, for Korea.

Current Status

Representatives of the United States, Russia, Japan, Korea, the People's Republic of China (China), and Poland met in Gdynia, Poland, on September 17-20, 2001, for the 6th Annual Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea. The Conference was chaired by

Dr. Tomasz Linkowski, Director, Sea Fisheries Institute in Gdynia. Mr. David Citron, U.S. Embassy, Warsaw, represented the United States at the Annual Conference. Due to logistical problems created by the terrorist attacks in New York and Washington on September 11, a delegation was not able to travel to the Conference from the

United States. The first two days of the meeting were devoted to a Scientific and Technical (S&T) Committee meeting. Plenary sessions of the Annual Conference were conducted during the remaining three days.

The major functions of the Annual Conference are, among other things, to establish an allowable commercial harvest level (AHL) for pollock in the central Bering Sea for the following year, establish an annual individual national pollock quota (INQ) for each Party, establish a Plan of Work for the S&T Committee, and adopt appropriate pollock conservation and management measures for the Convention area.

2002 AHL and INQs: The Convention directs the Annual Conference to establish by consensus of the Parties the pollock AHL for the central Bering Sea for the succeeding year, based upon the assessment of the total Aleutian Basin pollock biomass by the S&T Committee. At the Sixth Annual Conference, all Parties agreed with the S&T Committee's conclusions that, despite the extensive research efforts of the Parties in 2001, there were insufficient data to directly determine the total Aleutian Basin pollock biomass. When this is the case, the Annex to the Convention allows the coastal states (the United States and Russia) to establish the biomass based on the best available scientific data. If the coastal states still have insufficient information to establish the biomass, the Annex contains a default mechanism that deems the pollock biomass of the "Specific Area," a subset of the Bogoslof Island area in the U.S. zone, to represent 60 percent of the Aleutian Basin pollock biomass. Per the Annex, if the extrapolated estimate of the total Aleutian Basin pollock biomass is less than 1.67 million metric tons (mt), the AHL is set at zero and there is no directed fishing for pollock in the central Bering Sea for the succeeding year.

The best available information in 2001 to estimate the biomass indirectly was obtained from a midwater echo integration-trawl survey conducted by the United States using the R/V *MILLER FREEMAN*. This survey was carried out in the Specific Area in February-March 2001. U.S. scientists estimated the pollock biomass for this area to be 208,000 mt--the lowest on record. Using the default mechanism mentioned above, the total Aleutian Basin pollock biomass was estimated to be 346,667 mt, approximately 1.3 million mt below the 1.67 million mt threshold that would trigger a commercial fishery pursuant to the Convention.

Only China conducted trial fishing operations in the Convention Area in 2001. In 38 days of fishing in June-July, 2001, Chinese vessels only caught 16 pollock.

Despite arguments from several Parties for setting an AHL regardless of the low pollock biomass, Parties were unable to reach a consensus and the 2002 AHL was set at zero. INQs were consequently also set at zero. Next year will mark the 10th anniversary of a moratorium on commercial pollock fishing in the central Bering Sea.

Work Plan for the S&T Committee: The Work Plan for the S&T Committee for 2002 consists of (1) a cooperative survey by the U.S. R/V *MILLER FREEMAN* and Japanese R/V *KAIYO MARU* during the winter of 2002 in the Bogoslof Island area, (2) a cooperative survey by the U.S. R/V MILLER FREEMAN and a Russian research vessel on the continental shelf during summer 2002; (3) continuation of the compilation of an historical catch database for the central Bering Sea; and (4) trial fishing in 2002.

Terms and Conditions for Trial Fishing in the Convention Area in 2002: Parties agreed to apply the rules and conditions for trial fishing established at the Fifth Annual Conference in Shanghai in 2001. One of the key conditions is that no more than two vessels from each Party may conduct trial fishing in the Convention area at any one time. Only Poland submitted trial fishing plans for 2002 at the meeting.

Central Bering Sea Management System: The Parties deferred discussion on several outstanding components of a fisheries management system (the number and priority placement of observers on fishing vessels, the number of vessels to be allowed to fish, and the fishing season) until the next Annual Conference.

Transparency: The Parties agreed to the same interim observer rules for 2002 that were employed from 1998-2001. These rules do not address attendance by non-governmental observers, only observers from regional and intergovernmental organizations.

Seventh Annual Conference: Russia offered to host the Seventh Annual Conference of the Parties in Moscow in mid-September 2002. Dr. Yuriy Moskaltsov, Deputy Chairman of the State Committee for Fisheries, was named Chairperson. The United States offered to host the Eighth Annual Conference in 2003.

Copies of the approved reports of the 2001 Annual Conference and the S&T Committee are available from NMFS upon request.

Staff Contacts

NOAA Fisheries:

Headquarters:

Paul E. Niemeier
Office of Sustainable Fisheries (F/SF4)
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13113
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: paul.niemeier@noaa.gov

Region:

James W. Balsiger, Administrator
Alaska Region (F/AK)
National Marine Fisheries Service, NOAA
P.O. Box 21668
Juneau, AK 99802-1668
Telephone: (907) 586-7221
Fax: (907) 586-7249
E-mail: jim.balsiger@noaa.gov

Department of State:

H. Stetson Tinkham
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350
E-mail: tinkhamsx@state.gov

Treaty Between the Government of the United States of America and the Government of Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges

Implementing Legislation

Implementing legislation is in preparation.

Parties

The United States and Canada.

Description

Under the Treaty, each Party allows fishing vessels of the other Party to fish for albacore tuna in waters under its fisheries jurisdiction beyond 12 nautical miles. In addition, each Party allows the albacore tuna fishing vessels of the other Party to enter its designated ports to:

- land their catches of albacore tuna without payment of duties and
    - transship them in bond under customs supervision to any port of the flag state or
    - sell them for export in bond or
    - sell them locally on payment of the applicable customs duty and
- obtain fuel, supplies, repairs, and equipment on the same basis as albacore tuna vessels of the other Party.

Each Party provides annually to the other Party a list of its fishing vessels that propose to fish for albacore tuna off the coast of the other Party. Vessels of each Party are to keep records of the number and weight of albacore tuna caught in the jurisdiction of the other Party and to submit such information to the flag state so that each Party can exchange this information. If required by either Party, vessels must, upon entering and at least 24 hours prior to leaving the fisheries jurisdiction of such Party, notify appropriate authorities of that Party.

Current Issues

Since the Treaty entered into force in 1982, fishing under the Treaty has tended to occur predominantly in one Party's fisheries jurisdiction or the other, according to the range and availability of the fish in that year. In recent years, fishing under the Treaty has occurred predominantly in the U.S. exclusive economic zone. Moreover, both the number of Canadian fishing vessels and their fishing effort have increased substantially in these recent years, giving rise to concerns over the balance of benefits to the respective Parties under the Treaty. Accordingly, under Article VI of the Treaty, the United States has requested consultations with Canada for the purpose of discussing limitations on the catch or effort by fishing vessels of one Party operating in the jurisdiction of the other Party.

Staff Contacts

NOAA Fisheries:

Svein Fougner
Assistant Regional Administrator for
Sustainable Fisheries
501 West Ocean Boulevard, Suite 4200
Long Beach, CA 90802-4213
Telephone: (562) 980-4030
Fax: (562) 980-4047
E-mail: svein.fougner@noaa.gov

Dean Swanson
Chief, International Fisheries Division
National Marine Fisheries Service, F/SF4
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: dean.swanso@noaa.gov

Department of State:

Sally Cochran
Office of Marine Conservation, OES/OMC
Department of State
Washington, DC 20520-7818
Telephone: (202) 647-1073
Fax: (202) 736-7350
E-mail: cochransa@state.gov

Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (South Pacific Tuna Treaty -- SPTT)

Implementing Legislation

South Pacific Tuna Act of 1988 (54 FR 4033, January 27, 1989; 56 FR 19312, April 26, 1991).

Parties

The United States, Australia, Cook Islands, Federates States of Micronesia (FSM), Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, and Samoa.

Description

The SPTT entered into force in 1988. After an initial 5-year agreement, the SPTT was renewed in 1993 and is scheduled to expire on June 14, 2003. The current agreement allows access for up to 50 U.S. purse seiners, with an option for 5 more if agreed to by all parties, to the EEZ's of the following countries: Australia, Cook Islands, FSM, Fiji, Kiribati, Marshall Islands, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, Samoa. The overall SPTT area is 10 million square miles.

The Treaty is said to be working efficiently and to the benefit of all involved. It has been viewed as a model of international and fishery cooperation. Issues that arise typically are addressed in formal annual consultations between U.S. Government and Pacific Island States representatives, or during informal discussions which also have taken place on an annual basis for the last 5 years. The Department of State has specific authority to act for the United States.

Budget

Of the total cost for access under the SPTT, the U.S. tuna industry, as coordinated by the United States Tuna Foundation (USTF), provides $4 million each year to the Forum Fisheries Agency (FFA) located in Honiara, Solomon Islands. The FFA Director and staff act as the SPTT Administrators for the Pacific Island Governments party to the agreement. The FFA deducts a small amount for treaty administration, after which 15 percent of the revenue is divided equally among FFA members, with the remaining balance (85 percent) distributed on a *pro rata* basis depending on the weight of tuna landed in each respective EEZ. The Director of the FFA is currently Feleti P. Teo (telephone: 677-21124; fax: 677-23995). The Deputy Director is Barry Pollack (barry.pollock@ffa.int). The FFA Staff Treaty Administrator is Kaburoro Ruaia (kaburoro.ruaia@ffa.int).

Also associated with the SPTT is an economic assistance agreement between the U.S. Government (U.S. Agency for International Development) and the FFA. The U.S. Government pays $14 million, due on June 15 of each year, into an economic development fund administered by the FFA. The FFA ensures that the fund is used to support economic development programs in the region. Under the terms of the SPTT, both the U.S. tuna industry and the U.S. Government annual payments must be made before any fishing licenses will be issued.

In addition to paying access fees, the U.S. tuna industry also pays the FFA all costs associated with an agreed upon observer coverage rate of 20 percent (including training), vessel monitoring system deployment and associated recurring costs, and a regional registration fee. The U.S. industry also supports a FFA coordinated purse seine crew clearing house to assist vessel owners place Pacific Island crew aboard vessels.

Although the major beneficiaries vary from year to year, on average the Governments of Papua New Guinea, FSM, the Solomon Islands, and Kiribati receive the greatest share of the funds distributed. For the Tuvalu and Kiribati, revenues derived from tuna access agreements can make up 30-40 percent of the total monies available to those Governments.

U.S. Administration

U.S. operational, administrative, and enforcement commitments under the SPTT are carried out by the National Marine Fisheries Service (NMFS). These responsibilities are implemented by the NMFS Southwest Regional Administrator. The NMFS Southwest Region maintains a field station in Pago Pago, American Samoa, to collect fishery data required by the SPTT, while the Southwest Fisheries Science Center (SWFSC), located in La Jolla, California, is responsible for related data collation and summarization. SPTT catch and effort data generated by U.S. purse seine vessels are sent on a bimonthly basis from the SWFSC to the FFA. The United States Tuna Foundation also plays an integral role in the SPTT with coordination of all payments and participation in all treaty matters.

In October 1997, the NMFS Assistant Administrator approved an initiative of the Southwest Regional Administrator to consolidate all matters relating to fishery policy and management pertinent to the western and south Pacific in the Pacific Islands Area Office (PIAO), located in Honolulu, Hawaii. The PIAO Administrator is responsible for the day-to-day administration of the SPTT.

Current Status of the U.S. Fleet

There are currently 30 U.S. vessels active in the fishery. During the previous 5 years, the average was approximately 43. Participation by U.S. vessels is on the decline. At present, there are about 180 purse seiners operating in the central and western Pacific (major fleets also from Japan, Korea, and Taiwan) and the capacity of Pacific Island countries, currently at 10 percent of total landings, is growing rapidly. Overall, total effort appears on the increase and in 2000, 1,043,000 mt were landed by purse seiners in the western, central, and south Pacific, representing more than 60 percent of world canned tuna landings.

In 2000, the U.S. fleet landed 125,400 mt--the lowest catch totals since 1988. Skipjack tuna comprised 80,000 mt, with yellowfin and bigeye tuna making up the balance. Almost all (>85%) of the U.S. fleet's production historically is landed in American Samoa, where there are two canneries. The ex-vessel price of fish dropped to less than $400/ton in the last quarter of 2000, causing most of the U.S. western Pacific purse seine fleet to tie up.

Current Issues

The economic assistance agreement of the SPTT is scheduled to expire in June 2003. The parties have been meeting to extend the treaty for a third period--expected to be 10 years. The parties have formally meet in Apia, Samoa, and Nadi, Fiji, in 2001. The parties are scheduled to meet again in March 2002 in Christmas Island, Kiribati. The only significant outstanding issue as of this writing is the fees that will be acceptable over the third extension to the treaty.

Increased capacity is of concern to the U.S. industry. With current low ex-vessel prices and coming off the largest landing year in the history of the Pacific, the U.S. fishery is in weak economic condition. Vessel owners indicate that despite recent good fishing, making ends meet is growing increasingly difficult. Recent preliminary analysis by NMFS suggest there is excess capacity in the western and central Pacific purse seine fishery.

Currently, the South Pacific Commission (SPC) Oceanic Fisheries Programme believes that the main target of the western, central, and southern Pacific purse seine fishery--skipjack tuna--are in good condition, while yellowfin

tuna stocks are fully exploited. The current condition of the bigeye tuna resource is unknown (bigeye tuna is not typically a large component of purse seine landings in the western and central Pacific). The Standing Committee on Tuna and Billfish (SCTB) have recommended no further expansion of purse seine effort in the western and central Pacific given the imputed condition of the yellowfin tuna resource (requisite fishery assessment data/information are in need of updating and improvement for the western areas of the fishery). (It should be noted that the biological assessments for skipjack and yellowfin tuna by the SPC and the SCTB are considered to be some of the best in the world).

Recently, the Government of Kiribati reportedly agreed to allow up to 14 additional Spanish purse seiners fish within its EEZ. The Spanish fleet reportedly includes some of the largest and most modern vessels in the world (an average U.S. seiner has approximately a 1,200 mt carrying capacity--at least one of the Spanish vessels has a 3,000 mt carrying capacity). The Spanish have no history of fishing in the western Pacific.

The actions of Kiribati are in apparent conflict with recent declarations of the Multilateral High-Level Conference for the Conservation and Management of Tuna in the Western and Central Pacific process. At a recent plenary session, the Pacific Island countries put forth a resolution to cap capacity.

Future Meetings: The next annual formal consultation between the Parties will be held in Christmas Island, Kiribati, in March 22-23, 2002.

Staff Contacts

NOAA Fisheries:

Charles Karnella, Administrator
Pacific Islands Area Office (F/SWR-PAIO)
National Marine Fisheries Service, NOAA
2570 Dole Street, Room 106
Honolulu, HI 96822-2396
Telephone: (808) 973-2937
Fax: (808) 973-2941
E-mail: charles.karnella@noaa.gov

Department of State:

William Gibbons-Fly, Deputy Director
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

SOUTHERN OCEAN

Convention for the Conservation of Antarctic Marine Living Resources (Basic Instrument for the Commission for the Conservation of Antarctic Marine Living Resources – CCAMLR)

Basic Instrument

Convention for the Conservation of Antarctic Marine Living Resources (TIAS 10240), 1982.

Implementing Legislation

Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2431).

Member Nations

Argentina, Australia, Belgium, Brazil, Chile, European Community, France, Germany, India, Italy, Japan, Republic of Korea, New Zealand, Namibia, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay (note: Bulgaria, Canada, Finland, Greece, the Netherlands, and Peru have acceded to the Convention, but are not members of the
Commission).

Commission Headquarters

Commission for the Conservation of Antarctic Marine Living Resources
123 Harrington Street
Hobart, Tasmania 7000 Australia

Executive Secretary: Denzil Miller
Telephone: 61 3 6231 0366
Fax: 61 3 6234 9965
E-mail: ccamlr@ccamlr.org
Web address: http://www.ccamlr.org

Budget

A budget of US $1,323,000 was adopted for 2002, a slight decrease from the 2001 budget. The U.S. share for the 2002 budget is approximately $46,000, compared to $49,130 in 2001.

U.S. Representation

A. Appointment Process:

The Secretary of State, with the concurrence of the Secretary of Commerce and the Director of the National Science Foundation, appoints an officer or employee of the United States as the U.S. representative to the Commission.
The Secretary of Commerce and the Director of the National Science Foundation, with the concurrence of the Secretary of State, designates the U.S. representative to the Scientific Committee.

B. U.S. Representative to the Commission:

Raymond Arnaudo
Deputy Director, Office of Ocean Affairs
OES/OA, DOS - Room 5801
Washington, D.C. 20520
Telephone: (202) 647-3262

U.S. Representative to, and Chair of, the Scientific Committee:

Dr. Rennie Holt
Director, Antarctic Ecosystem Research Group
NOAA/NMFS/F/SWC
P.O. Box 271
La Jolla, CA 92038
Telephone: (619) 546-7601

C. Advisory Structure:

The U.S. Representative to the Scientific Committee is responsible for providing scientific advice to the Commissioner on the operation of the U.S. Antarctic Marine Living Resources (AMLR) directed research program; on the status of krill, finfish, squid, marine mammal, and bird populations; on data requirements; on the long-term program of work of the Scientific Committee; and on recommendations for conservation and management measures. Permanent Working Groups on Fish Stock Assessment (WG-FSA) and Ecosystem Monitoring and Management (WG-EMM) have been constituted to develop and review research proposals and results. The Commission is currently assisted by an ad hoc Working Group on Incidental Mortality Arising from Fishing (WG-IMAF) and an informal working group on the Catch Documentation Scheme (CDS) for Dissostichus species (toothfish). The Commission also receives advice from its two standing committees, the Standing Committee on Observation and Inspection (SCOI) and the Standing Committee on Administration and Finance (SCAF)

Description

A. Mission/Purpose:

The 1982 Convention established CCAMLR for the purpose of protecting and conserving the marine living resources in the waters surrounding Antarctica. The Convention is based upon an ecosystem approach to the conservation of marine living resources and incorporates standards designed to ensure the conservation of individual populations and species and the Antarctic marine ecosystem as a whole.

The Convention applies to the Antarctic marine living resources of the area south of 60% South latitude and to the Antarctic marine living resources of the area between that latitude and the Antarctic Convergence which form part of the Antarctic marine ecosystem. The Antarctic Convergence is deemed to be a line joining the following points along parallels of latitude and meridians of longitude: 50˚S, 0˚; 50˚S, 30˚E; 45˚S, 30˚E; 45˚S, 80˚E; 55˚S, 80˚E; 55˚S, 150˚E; 60˚S, 150˚E; 60˚S, 150˚E; 60˚S, 50˚W; 50˚S, 50˚W; 50˚S, 0˚.

B. Organizational Structure:

CCAMLR is comprised of the Commission, Executive Secretary, and the Scientific Committee. The Commission consists of one representative from each member nation and is responsible for facilitating research, compiling data on the status of and changes in Antarctic marine living resources, ensuring the acquisition of catch and effort data, publishing information, identifying conservation needs, adopting conservation measures, and implementing a system of observation and inspection. The Executive Secretary handles the administrative matters for the Commission. The Scientific Committee is comprised of scientific advisors from the member nations. It sponsors the permanent working groups and recommends research programs and conservation and other measures to the Commission. There are WG-FSA and WG-EMM.

U.S. participation on the Scientific Committee and in WG-FSA and WG-EMM is supported by the activities of the U.S. Antarctic Marine Living Resources (AMLR) Directed Research Program, conducted by the National Marine Fisheries Service's Antarctic Ecosystem Research Group (AERG), Southwest Fisheries Science Center, La Jolla, California.

C. Programs:

The Commission adopted its first conservation measures during the 1984 session (CCAMLR III). At its Twentieth Meeting in Hobart, Tasmania, October 22 to November 2, 2001, the Commission adopted additional, or extended previously adopted, conservation measures pertaining to fishing in the CCAMLR Convention Area in Antarctic waters. These were agreed upon in accordance with Article IX of the Convention for the Conservation of Antarctic Marine Living Resources.

Measures adopted restrict overall catches of certain species of fish and crabs, restrict fishing in certain areas, specify implementation and inspection obligations supporting the CDS, and promote compliance with CCAMLR measures by non-Contracting Party vessels. The Commission adopted a total of 23 new conservation measures and 1 new resolution, and agreed that an additional 37 such conservation measures and 6 resolutions should remain in force from previous years. Catch limits or closures were set for various directed and by catch species with no major changes in levels for squid or krill. Key catch limits were for Dissostichus spp.in area 48.3 (5820 mt) and in area 58.5.2 (2815 mt) and for C. gunnari (icefish) in area 48.3 (5557 mt).

The total reported catch of finfish in the Convention Area in 2000/01 was 15,618 mt of which Dissostichus spp accounted for 13,271 mt. This species was reported from subareas 48.3 (3,259 mt), 58.6 (1,476 mt), 58.7 (732 mt), and 88.1 (660 mt), and divisions 58.5.1 (5,215 mt), 58.5.2 (1,765 mt) and 58.4.4 (164 mt). In comparison, the total reported catch of toothfish was 14,441 mt in 1999/00.

Again this year, the Scientific Committee was very concerned with the substantial amount of illegal, unreported and unregulated (IUU) catches of Dissostichus spp. The estimates of total IUU catches during the 2000/01 split-year (7,599 mt) was slightly larger than the 6,546 mt taken illegally during the 1999/00 split-year. However, the real level of IUU catch is likely to be greater than that estimated but it is uncertain how much greater.

The total reported catch of krill in 2000/01 was 98,414 mt, compared to 101,286 mt in the 1999/00 season. The catch was taken by Japan, Poland, Republic of Korea, Ukraine, and the United States in subareas 48.1, 48.2, and 48.3. The level of krill fishing in the 2001/02 year could be about 50% higher than the catch last year based on fishing plans of members.

Crab species were taken as by-catch of the toothfish pot fishery in subarea 48.3 during the 2000/01 season with 14 mt reported. An exploratory fishery for squid in subarea 48.3 was carried out by the United Kingdom and Republic of Korea during the 2000/01 season which caught 2 mt.

The Scientific Committee considered various alternatives for subdividing the precautionary yield of krill in FAO statistical area 48 so as to avoid the concentration of fishing near colonies of land-breeding krill predators. The existing statistical subareas and divisions are too large for this purpose and a method was sought to divide these areas into small-scale management units.

The Scientific Committee agreed that defining "predator units" as the first step toward the establishment of small-scale management units should be investigated. Predator units could be first delineated as non-overlapping foraging areas associated with the major archipelagos in area 48. Additional information required for this approach includes: (a)species-specific foraging ranges and prey demand; (b) krill availability and movement through the unit; and (c) fishing tactics within the unit. The feasibility of this approach will be examined at a workshop to be convened in conjunction with the 2002 meeting of WG-EMM.

The Scientific Committee noted that CDS data indicated area 51 (outside the Convention Area) has assumed importance as a source of toothfish. However, it was not possible to conclude whether this was a true indication of increased catches in this area or whether it may have include fish taken from inside the Convention Area. The Scientific Committee, however, believed that catches reported from area 51 represented catches taken as a result of IUU fishing in other areas inside the Convention Area.

As a result of reviewing all aspects of marine debris data, the Scientific Committee agreed that data should be collected in a standard format and submitted on standard forms. Data reporting on collection of marine debris by vessels at sea will be discontinued.

The assessment of incidental mortality arising from the long line fisheries was reviewed. In particular, the Scientific Committee noted that in the regulated fishery in subarea 48.3, the total estimated seabird-by catch last year remained at a low level and was only 30 birds, at a rate of 0.0014 birds/thousand hooks). In subareas 58.6 and 58.7, the total estimated seabird by-catch was 199 birds (a 61% reduction over last year) at a rate of 0.018 birds/thousand hooks. the lower rates in subareas 58.6 and 58.7 were mainly because of changes in fishing area and improved compliance with conservation measures required to mitigate seabird mortality.

The estimated potential seabird by-catch in the unregulated fishery for the whole convention area ranged from 36,000 to 69,000 birds in 2000/01 which was similar to those estimated last year.

For the 2001/2002 season, a total of thirteen notifications of new or exploratory longline or trawl fisheries were notified to fish for dissostichus spp. as was the case last year, a large number of notifications for division 58.4.4 (five notifications for a maximum of up to 10 vessels) had occurred. As the recommended precautionary catch limit is only 103 mt, there is a clear potential for the catch limit to be taken in a very short time and with the extreme likelihood of it being exceeded.

The Scientific Committee provided management advice for the two areas where additional data were available (subarea 88.1 and division 58.4.4). It agreed that precautionary catch limits for new and exploratory fisheries for the 2001/2002 season should be those as agreed in the conservation measures dealing with these fisheries.

Again this year, the Commission recognized the need to define the inter-relationships between different stages of fishery development, including those of new, exploratory and lapsed fisheries, to ensure that there were coherent progressions from an unexploited resource, through the various phases of fisheries, to fully-commercial fisheries.

The Scientific Committee agreed on a framework encompassing all fisheries, which does not rely on defining the stages of fishery development. It includes a notification, establishment of research and fishery operations plans,

and data collection plans for all fisheries. A key component is a reference document prepared and maintained by the Secretariat for all fisheries in the Convention Area known as the fishery plan.

Fisheries plans for the krill fishery in area 48 and the icefish fishery in subarea 48.3 were prepared by the Secretariat and reviewed by the appropriate working group. The Scientific Committee agreed that the next step should be to prepare these fishery plans for other fisheries in the Convention Area.

The Commission revised the CDS to: a) address export verification measures, b) provide for greater use of VMS for verification of catch documents, c) address the disposition of confiscated or seized catches as well as provide guidelines for the recently established CDS Fund. With regard to seized or confiscated catches, it was agreed that states may issue a Specially Validated DCD specifying the reasons for that validation. Further, it was agreed that parties shall, to the extent practicable, ensure that no financial benefit arising from the sale of IUU fishing. A Contracting Party may transfer all or part of the proceeds from the sale of such catch into the CDS Fund (see or into a national Convention. It was also agreed that a Contracting Party may, consistent with its domestic legislation, decline to provide a market for toothfish offered for sale with a Specially Validated DCD.

The Commission noted that while the current CDS may allow the opportunity for fraudulent practices, it is having a positive impact on addressing IUU fishing activities, in that it is providing new and valuable data to CCAMLR, fraudulent catch documents are being identified, and seizures of possible IUU products are occurring. It was recommended that further improvements could be made by establishing a paperless web-based electronic CDS. In this regard, the US proposed hosting a workshop on the development of such an electronic CDS system.

As a result of discussions in the informal CDS Working Group and the Standing Committee on Observation and Inspection, the Commission approved a revised DCD form and requested the Secretariat update the guide for completion of catch documents and place the revised guide on the CCAMLR website. With regard to the future status of the informal CDS group, the Commission agreed this group should continue to meet for the next two to three years after which time the need for such a group will be reviewed. The US will continue to chair the recently established CDS intersessional correspondence group which will address pending issues such as user needs for CDS data analysis.

D. Activities and Meetings

The CCAMLR Scientific Committee will hold the following intersessional meetings:

WG-EMM
August 5-16, 2002
Billings, Montana

WG-FSA including the Ad hoc WG-IMAF
October 7-18, 2002
Hobart, Tasmania, Australia

The next annual meeting of the Commission is October 21 - November 1, 2002 in Hobart, Tasmania, Australia.

Staff Contacts

NOAA Fisheries: Robin Tuttle
Office of Science and Technology (F/ST3)

National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 12643
Silver Spring, MD 20910
Telephone: (301) 713-2282, ext. 199

Department of State:

Raymond Arnaudo
Deputy Director, Office of Ocean Affairs (OES)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520
Telephone: (202) 647-3262

Convention for the Conservation of Antarctic Seals (CCAS)

Basic Instrument

Convention for the Conservation of Antarctic Seals (29 UST 441, TIAS 8826)

Implementing Legislation

None.

Member Nations

Argentina, Australia, Belgium, Chile, France, the Federal Republic of Germany, Japan, Norway, Poland, South Africa, the Russian Federation, the United Kingdom, and the United States of America.

Commission Headquarters

The Convention did not establish a Commission. The United Kingdom serves as the Depositary Government.

Budget

None.

U.S. Representation

The United States is represented at Meetings of Contracting Parties to the Convention by a delegation, headed by the Department of State and including representatives of the National Marine Fisheries Service, the Marine Mammal Commission, and the environmental community.

Description

A. Mission/Purpose

The Convention for the Conservation of Antarctic Seals was signed in London on February 11, 1972. It entered into force on March 11, 1978, and calls for Contracting Parties to meet within 5 years of entry into force, and at

least every 5 years thereafter, to review the operation of the Convention. The purpose of the Convention is to promote and achieve the objectives of protection, scientific study and rational use of Antarctic seals, and to maintain a satisfactory balance within the ecological system.

The Convention applies to the seas south of 60° South Latitude, in respect of which the Contracting Parties affirm the provisions of Article IV of the Antarctic Treaty.

B. Organizational Structure

There is no Commission. The Scientific Committee on Antarctic Research (SCAR) of the International Council of Scientific Unions, through its Group of Specialists on Seals, receives reports from and advises the Contracting Parties on the number of seals killed or captured, the status of stocks, and the need, if any, for conservation and management measures.

C. Programs

Because there had been no commercial sealing in the Antarctic after the Convention entered into force in 1978, an offer by the United Kingdom, as Depositary Government, to host a 1983 meeting of Parties, was declined. The first and, to date, only meeting of Parties, held in 1988, was occasioned by a 1986/87 Soviet commercial sealing expedition and research cruise.

The 1988 meeting limited its recommendations to amendments to the Annex to the Convention or to Contracting Parties and other institutional action independent of the terms of the Convention. The Meeting agreed that Contracting Parties should restrict the number of seals killed or captured by special permit. It also agreed to encourage cooperative planning among holders of special permits for scientific research and detailed the scientific information which should be reported. The meeting recommended that the Annex be amended to increase the period of notification by a Contracting Party to other Contracting Parties prior to leaving home port for a commercial sealing expedition from 30 to 60 days. The final report of the meeting noted, however, that Contracting Party countries are unlikely to engage in commercial sealing in the foreseeable future.

In 1992, the United Kingdom proposed, but the Parties did not feel it necessary, to hold a further meeting. In October 1993, the United Kingdom hosted an informal meeting of the Parties to review the operation of the Convention. The meeting was held in the margins of the twelfth meeting of the Commission for the Conservation of Antarctic Marine Living Resources. As a result, the Parties noted the need to: improve the submission and exchange of data; endorse scientific programs on seal research; provide SCAR with contact points of CCAS parties; and circulate copies of reports from the SCAR Group of Specialists to CCAS Parties. In response to an inquiry, the United Kingdom confirmed that the recommendations adopted by the 1988 Meeting of Parties entered into force on March 27, 1990.

Staff Contacts

NOAA Fisheries: Telephone: (301) 713-2282, ext. 199

Robin Tuttle
Office of Science and Technology, F/ST3
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 12643
Silver Spring, MD 20910

Department of State:

Raymond Arnaudo
Acting Director, Office of Ocean Affairs
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520
Telephone: (202) 647-3262

WESTERN HEMISPHERE

Inter-American Convention for the Protection and Conservation of Sea Turtles

Basic Instrument

Inter-American Convention for the Protection and Conservation of Sea Turtles

Member Nations

Brazil, Costa Rica, Ecuador, Honduras, Mexico, Netherlands, Peru, United States, and Venezuela.

Status

The Convention entered into force on May 2, 2001. The first meeting of the Parties is anticipated to occur in August 2002.

The location of a headquarters for the new Convention has not yet been determined. The unofficial website for the organization is http://www.seaturtle.org/iac/.

Description

A. Mission/Purpose:

The Inter-American Convention for Sea Turtles is the first regional agreement with broad coverage for protecting sea turtles and their habitats in the Western Hemisphere. The stated purpose of the Convention is "to promote the protection, conservation and recovery of sea turtle populations and of the habitats on which they depend, based on the best available scientific evidence, taking into account the environmental, socioeconomic and cultural characteristics of the Parties." The measures in the Inter-American Convention promote sub-regional management plans and accords. The Convention also places great importance on environmental conservation and the reduction of bycatch by developing more selective fisheries gear and requires the use of Turtle Excluder Devices (TEDs).

B. Organizational Structure:

The Convention provides for the creation of an Executive Secretary, a Consultative Committee of Experts, and a Scientific Committee. The Consultative Committee would, among other things, review and analyze information relating to the protection and conservation of populations of sea turtles and their habitats; examine reports concerning the environmental, socio-economic and cultural impact on affected communities resulting from the measures set forth or adopted pursuant to the Convention; and evaluate the efficiency of the different measures proposed to reduce the capture and incidental mortality of sea turtles, as well as the efficiency of different kinds of TEDs. The Scientific Committee would examine and, as appropriate, conduct research on sea turtles covered by the Convention, including research on their biology and population dynamics. It would also evaluate the environmental impact on sea turtles and their habitats of activities such as fishing operations and the exploitation of marine resources, coastal development, dredging, pollution, clogging of estuaries and reef deterioration, among other things. Finally, it would analyze relevant research conducted by the Parties and formulate recommendations for the protection and conservation of sea turtles and their habitats.

Staff Contacts

NOAA Fisheries:

Office of Protected Resources, F/PR
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room
Silver Spring, MD 20910
Telephone: (301) 713-2332
Fax: (301) 713-0376

GREAT LAKES

Convention on Great Lakes Fisheries Between the United States and Canada (Basic Instrument for the Great Lakes Fishery Commission – GLFC)

Basic Instrument

Convention on Great Lakes Fisheries between the United States and Canada signed September 10, 1954; entered into force October 11, 1955. 6 UST 2836; TIAS 3326; 238 UNTS 97.

Implementing Legislation

Great Lakes Fisheries Act of 1956 (16 USC 932).

Member Nations

United States and Canada.

Commission Headquarters

Great Lakes Fishery Commission
2100 Commonwealth Boulevard
Suite 100
Ann Arbor MI 48105-1563
Telephone: (734) 662-3209
Fax: (734) 741-2010
Web address: http://www.glfc.org

Budget

The U.S. Congress provided $12.9 million for the Great Lakes Fishery Commission in fiscal year (FY) 2002. The Commission recommends at least this level of funding for FY 2003. The Commission approved a budget of $16.1 million for FY 2001, of which the U.S. contribution was $12.6 million.

U.S. Representation

A. Appointment process:

The United States is represented by four Commissioners appointed by the President. Of the Commissioners, one is to be an official of the U.S. Government and three are individuals who reside in different Great Lakes States and who are knowledgeable regarding the fisheries of the Great Lakes; one of these three must be an official of a Great Lakes state. The term of office for Commissioners is 6 years, except for the Commissioner representing the U.S. Government, who is appointed "at pleasure." The President also appoints an Alternate Commissioner who performs the duties of a Commissioner in the absence of a Commissioner, or when a Commissioner vacancy occurs. The Alternate Commissioner is also appointed "at pleasure." There are no set guidelines for the nomination process. The U.S. Commissioners do not receive compensation.

B. U.S. Commissioners:

Federal Commissioner (vacant)

Bernard J. Hansen (Chair)
Alderman, 44th Ward
City of Chicago
(appointed September 16, 1994)

Joseph Day
Executive Director, Indian Affairs Council
State of Minnesota
(appointed November 21, 1997)

Dr. Roy A Stein
Director, Aquatic Ecology Lab
Ohio State University
(appointed September 1, 1998)

C. Advisory structure:

The Great Lakes Fishery Act of 1956 requires establishment of an advisory committee for each of the Great Lakes. Appointments are proposed by governors of each Great Lakes state, giving due consideration to the interests of state agencies with fisheries management jurisdiction, the commercial fishing industry, sports fishing, and the public at large. Advisors are appointed by the U.S. Section. An extensive advisory network has been developed by the Commission (see "GLFC and Its Stakeholders" below).

Description

A. Mission/Purpose:

The GLFC was established to provide research and recommendations to aid in the management of Great Lakes fisheries and to control and eradicate sea lamprey. Sea lamprey entered the Great Lakes from the Atlantic Ocean via canals constructed in the nineteenth century and quickly decimated important commercial and recreational fisheries. Specific responsibilities of the Commission are:

1) to formulate research programs to sustain maximum productivity of fish stocks in the Convention area that are of common concern to the United States and Canada, to coordinate research done pursuant to such programs, and, if necessary, to undertake such research itself;

2) to recommend appropriate measures to the Contracting Parties based on the findings of such research programs;

3) to formulate and implement a program for eradicating or minimizing sea lamprey populations in the Great Lakes basin; and

4) to publish the scientific findings obtained in the performance of its duties.

The Commission provides more specific statements of its approach to meeting these responsibilities in its Strategic Vision for the First Decade of the New Millennium. The Commission has defined specific milestones for healthy Great Lakes ecosystems, integrated sea lamprey management, and partnerships. Over the years, as new organizations and new ecological challenges have arisen, the state, provincial, tribal, and federal fisheries management agencies have signed the *A Joint Strategic Plan for the Management of Great Lakes Fisheries,* as their basis for cooperative science-based management of the fisheries resources in the Great Lakes. The

Commission facilitates this cooperative process.

B. Organizational Structure:

The GLFC secretariat handles the day-to-day operations of the Commission. The Commission meets in plenary session annually, in early June. Commissioners convene an Interim Meeting in early December, and special meetings of the Commissioners take place as needed.

C. Programs:

Lamprey Control: The lamprey eradication and control mandate of the Commission consumes the bulk of the Commission's budget and is carried out by the Commission's "control agents" in the United States and Canada. The U.S. agent is the U.S. Fish and Wildlife Service (USFWS). The Department of Fisheries and Oceans provides this function for Canada. The Commission contracts for the application of chemical lampricide by USFWS employees to tributaries to reduce the number of sea lamprey in the lakes, assessment to direct the application of control efforts and to monitor their success, and a program of alternative control methods including sterile-male release and barrier construction. The U.S. Army Corps of Engineers is a partner in construction of sea lamprey barriers and traps. The Commission also carries out research to support its existing program and to develop new alternative methods. The Commission contracts portions of this research program to the U.S. Geological Survey, Biological Resources Division and to universities and other research institutions.

Re-registration: The chief lamprey control chemicals (TFM and Bayluscide/niclosamide) have undergone re-registration, required by the U.S. Environmental Protection Agency (EPA) under the 1990 amendments to the Federal Insecticide, Fungicide, and Rodenticide Act. This process ensures that the chemical does not have harmful environmental effects, and is a mandatory requirement of U.S. law. EPA has approved the registrations of both lampricides in the recently completed registration eligibility decisions (REDs). Both compounds were found to pose no unreasonable risks or adverse effects to humans or the environment when applied in accordance with the approved label. The EPA may require further studies of long-term effects of the compounds as a final phase of the re-registration process. These requirements are not expected to be defined until mid-2002. In Canada, Health Canada is undertaking a parallel process of pesticides called re-evaluation. The Commission is working to consolidate U.S. and Canadian registrations of its lampricides with the USFWS.

GLFC and Its Stakeholders: The Commission operates through a broad-based, grass roots committee structure, with a basin-wide series of local level committees which cooperate with state and federal officials in monitoring fish (and lamprey) populations in local waters. This information is passed to "lake committees," as prescribed in the *Joint Strategic Plan*, which present reports to the Commission during its annual meeting. The Board of Technical Experts (BOTE) draws from academic and industry experts in environmental issues, biology and pesticide use. Other experts serve on a fish health committee. The Commission's Committee of Advisors provides citizen and state agency input to the Commission's decision-making process.

Commission Issues

The Commission has recently mounted a major effort on the St. Mary's River, which produces more sea lampreys than all other Great Lakes areas combined. During FY 1999 the Commission completed the first full round of an integrated control strategy that is predicted to reduce sea lamprey populations in Lake Huron and northern Lake Michigan by at least 85 percent. Cost-effective sea lamprey control on the St. Mary's River was once thought to be impossible because of the size of the river and because of the widespread distribution of sea lamprey larvae. Nevertheless, state-of-the-art lamprey assessment and modeling technologies, combined with the development of

new lampricide formulations, have provided the tools to accurately target concentrations of larval lampreys and to effect a significant level of control at the least possible cost. The control strategy integrates these targeted spot treatments with lampricides with an enhanced program of trapping and sterile-male release. Both of these latter alternative methods will be continued to reduce the recruitment of young larval sea lamprey to the river. An extensive assessment program is underway to monitor the effectiveness of the control strategy.

The GLFC is making progress towards reducing its dependency on lampricides, with a long-term milestone of a 50 percent reduction from 1990 levels targeted. Although the Commission already uses alternatives to lampricides to control lamprey, such as barrier dams and a program that introduces sterile males into the lamprey population, they hope to improve and greatly expand these programs in the next few years. In a first step, a recent change to the Water Resources Development Act will allow the U.S. Army Corps of Engineers to work with the Commission to fund and build new barrier to block and trap spawning sea lamprey. The GLFC is also accelerating its research programs into new alternate controls to further reduce their dependence on chemical lampricides.

The GLFC Secretariat estimates that the Commission has reduced TFM use by 30 percent since 1991 through a combination of refinements in the application process, improved stream selection, and investments in alternative controls. Virtually no TFM is being used in the St. Mary's River project. The primary control there is granular Bayluscide, which does not affect the entire water column and can be applied to discrete areas with remarkable precision.

After years of level funding, the United States increased its annual contribution in FY 2000 to continue the St. Mary's River project, and increased the funding in FY 2001 and 2002 to restore sea lamprey control and to accelerate the development and deployment of alternative control techniques. The Commission has submitted a budget request for 2003 that includes additional funds for sea lamprey control and alternative control research. Canada is currently reviewing its level of contribution. A recent report by the Auditor General recommends that "Fisheries and Oceans should establish stable funding to support the Great Lakes Fishery Commission."

Staff Contact

Department of State:

Nikki Brajevich
Office of Marine Conservation (OES/OMC)
U.S. Department of State
Washington, DC 20520-7818
Telephone: (202) 647-3228
Fax: (202) 736-7350

GLOBAL

Convention on Biological Diversity (CBD)

Basic Instrument

The Convention was opened for signature at the United Nations Convention on Environment and Development in Rio de Janeiro, June 1992; signed by President Clinton on June 4, 1993, and transmitted it to the Senate for advice and consent, along with an interpretive statement to clarify how the United States understands certain provisions that have caused concern. The treaty entered into force on December 29, 1993.

Implementing Legislation

The CBD is awaiting Senate ratification. No implementing legislation to carry out the terms of the treaty was sent to the Congress, because current law was considered sufficient to meet the U.S. obligations.

Member Nations

As of January 2001, 179 nations and the European Community had ratified or acceded to the CBD. The United States has signed but not yet ratified the Convention. The Cartagena Protocol on Basified has been signed by 85 nations and ratified by 2.

Secretariat Headquarters

Secretariat for the Convention on Biological Diversity
World Trade Center
413 St. Jacques St., Office 630
Montreal, Quebec H2Y 1N9
Canada
Telephone: (1) 514-288-2220
Fax: (1) 514-288-6588
Web address: http://www.biodiv.org

Executive Secretary: Mr. Hamdallah Zedan

Budget

The Conference of the Parties at its Fifth Meeting (COP-5) in May 2000, approved a budget of US$8,594,000 for the year 2001 and of US$10,049,900 for the year 2002. The United States is not yet a Party and therefore currently is not obligated to contribute directly to the Convention Budget, it has however made voluntary contributions.

In addition to the CBD budget, the implementation of the Convention in developing countries is funded through a Financial Mechanism. The Global Environment Facility (GEF) is the institution designated by the Conference of the Parties to operate the Financial Mechanism on an interim basis. The United States pledged US$430 million to the current replenishment of the GEF (1999-2002). For more details on the GEF see description below.

U.S. Representation

The Department of State is the lead U.S. agency to the CBD negotiations. The Department of Commerce (including NOAA), Department of the Interior, Department of Agriculture, Environmental Protection Agency,

U.S. Agency for International Development, and a number of other Agencies participate actively in the interagency process and on delegations to CBD negotiations.

The National Marine Fisheries Service has been designated the lead NOAA Line Office on marine and coastal CBD issues, working in close consultation with the NOAA International Liaison Staff and other NOAA agencies.

Description

A. Mission/Purpose:

The objectives of the Convention on Biological Diversity (CBD) are:

(1) the conservation of biological diversity,
(2) the sustainable use of its components, and
(3) the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

B. Organizational Structure:

The Convention on Biological Diversity (CBD) is governed by a Conference of the Parties (COP) made up of all the Parties to the Convention. During the first three years (1994-1996) the COP met annually. COP-IV met in May 1998, in Bratislava, Slovakia, and COP-5 is scheduled for June 2000 in Nairobi, Kenya. At the COP, countries report on steps taken under the Convention and consider measures for strengthening the treaty.

In addition to the COP, a Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) has been set up to provide advice to the COP. The SBSTTA is also composed of representatives of governments that are Parties and has its own Bureau. SBSTTA generally meets annually. The next SBSTTA meeting is scheduled for June 1999 in Montreal, Canada.

The CBD is far reaching and the COP has the capacity to set up standing or *ad hoc* committee to deal with specific issues. The CBD can also serve as a framework for binding protocols. The first such protocol, on basified, is scheduled to be completed in February 1999.

A Secretariat, located in Montreal, Canada, provides administrative support to the Convention under the auspices of the United Nations Environment Program. The Secretariat also manages an electronic clearing-house mechanism to promote and facilitate technical and scientific cooperation (http://www.biodiv.org/).

The Conference of the Parties to the CBD adopted a supplementary agreement to the Convention known as the Cartagena Protocol on Basified on 29 January 2000. The Protocol seeks to protect biological diversity from the potential risks posed by living modified organisms resulting from modern biotechnology. It establishes an advanced informed agreement (AIA) procedure for ensuring that countries are provided with the information necessary to make informed decisions before agreeing to the import of such organisms into their territory. The Protocol also establishes a Basified Clearing-House to facilitate the exchange of information on living modified organisms and to assist countries in the implementation of the Protocol.

C. Programs:

General Provisions of the Treaty: The Convention on Biological Diversity affirms that conservation of biodiversity is a common concern of humankind and reaffirms that nations have sovereign rights over their own biological resources. Implementation depends principally on action by Parties at the national level. In this respect, the

Convention provides general guidance on best practices, but does not currently include any sanctions for countries that do not adhere to these practices. The Convention covers *both* terrestrial and marine biota, and Parties are explicitly required to implement the CBD consistent with the rights and obligations of States under the law of the sea.

The major commitments made by Parties to the Convention encompass nearly all aspects of NMFS work and responsibilities. These commitments include:

- To develop national strategies, plans, etc., for conservation and sustainable use of biodiversity; and to integrate, as far as possible and appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans (Art. 6).

- To identify and monitor the components of biodiversity and activities which have or might have significant adverse impacts (Art. 7).

- To establish protected areas or areas where special measures are needed and to regulate or manage biological resources important to biodiversity; to promote protection of ecosystems and natural habitats; and to promote environmentally sound and sustainable development in areas adjacent to protected areas; to prevent introduction of species from outside a country that could threaten native ecosystems or species; to develop or maintain necessary legislation and other regulatory provisions for protection of threatened species and populations; and to establish means to regulate, manage or control risks associated with use and release of living modified organisms from biotechnology with likely adverse environmental effects (Art. 8).

- To adopt measures for the *ex-situ* conservation of components of biological diversity (Art. 9).

- To integrate consideration of the conservation and sustainable use of biodiversity resources into national decision-making; adopt measures relating to the use of biological resources to avoid or minimize adverse impacts on biological diversity; to preserve and maintain knowledge and practices of indigenous and local communities embodying traditional lifestyles that are compatible with conservation or sustainable use requirements; support remedial action in degraded areas; and encourage cooperation between the government and private sector to develop methods for sustainable use (Art. 10).

- To adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity (Art. 11)

- To establish programs for scientific and technical education and training in identification, conservation, sustainable use of biodiversity and promote research that contributes to biodiversity (Art. 12).

- To promote programs for public education and awareness (Art. 13).

- To require environmental impact assessments that address impacts on biodiversity and to minimize such impacts. (Art. 14).

- To create conditions to facilitate access to genetic resources on mutually agreed terms, recognizing sovereign rights of States over their natural resources; and to share in a fair and equitable way the results of research, development, and the commercial utilization of genetic resources with contracting Parties providing such resources (Art. 15).

- To encourage access to, and transfer of, technology relevant to the conservation and sustainable use of

biological diversity or that makes use of genetic resources and does not cause significant damage to the environment (Art. 16).

- To facilitate the exchange of information and scientific and technical cooperation in the field of the conservation and sustainable use of biological diversity (Art. 17&18).

- To encourage biotechnology research, especially in developing countries; ensure the fair and equitable sharing of benefits from biotechnology; and address safety concerns related to the transfer, handling and use of living modified organisms (Art. 19).

In addition to these general provisions, developed country Parties are required to provide "new and additional financial resources" to assist developing country parties meet the incremental costs of implementing measures that fulfill the obligations of the CBD. These resources are provided through the GEF (Art. 20 & 21).

Marine and Coastal Biodiversity: The 2nd Conference of the Parties in November 1995 adopted the *"Jakarta Mandate on Marine and Coastal Biodiversity"* adopted at COP-2 in November 1995. The *Jakarta Mandate* identified five priority areas for action:

(1) Promoting integrated marine and coastal area management as the framework for addressing human impacts on biological diversity.

(2) Establishing and maintaining marine and coastal protected areas.

(3) Using fisheries and other marine and coastal living resources sustainably. This was the most controversial recommendation, including issues of overcapacity, subsidies and bycatch.

(4) Ensuring that mariculture practices are environmentally sustainable.

(5) Preventing the introduction of, and controlling or eradicating, alien species that threaten ecosystems, habitats or species.

COP-4 developed the outline of a three year program of work to implement the *Jakarta Mandate*. COP-5 agreed to add Coral Bleaching and Physical Degradation and Destruction of Coral Reefs to the program of work.

Recent Activities - especially marine-related:

COP-5: The Fifth Conference of the Parties (COP-5) of the CBD met in Nairobi, Kenya, May 15-26, 2000. This meeting included several items of importance to NOAA, including: 1) a report on progress in the three-year program of work for marine and coastal biodiversity; 2) approval of the terms of reference for technical expert groups on marine protected areas and aquaculture; 3) approval of a resolution on climate change and coral bleaching; and 4) approval of interim guiding principles to address the problem of invasive alien species. The resolution on coral bleaching arose from an expert consultation last October that NOAA helped to organize. The action on alien invasive species was perhaps the most significant outcome, setting the stage for a decision at COP-6 on whether to proceed toward a binding protocol.

Expert's Consultation on Coral Bleaching: The U.S. helped fund this meeting that was held in the Philippines in October 1999 to review the impact of the 1997/98 global coral bleaching event. Based on this meeting, SBSTTA developed work programs on coral bleaching and more generally on coral reef conservation. These work programs

will be presented for approval at COP-6 in 2002.

Ad hoc Technical Expert's Group on Marine and Coastal Protected Areas: The first of two meetings of the *Ad hoc* Technical Expert's Group on Marine and Coastal Protected Areas (MCPAs) was held at Leigh, New Zealand, October 22 to 26, 2001. The Technical Expert Group was established to assist the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) in its work on the topic of marine and coastal protected areas. The results of the expert group process will be reported on at the eighth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and the seventh meeting of the Conference of the Parties, where protected areas will be one of the three main topics. The expert group will meet again in May 2002 (tentative). It will organize its discussion in five key themes: global goals; ecological aspects; design and implementation of MCPAs and networks;, social, cultural and economic benefits; and funding and public awareness. NOAA and New Zealand are co-funding the meetings of the Expert Group.

Biosafety Protocol: On January 29, 2000, ministers and senior officials from over governments finalized a legally binding agreement for protecting the environment from risks posed by the transboundary transport of living modified organisms (LMOs) created by modern biotechnology. Under the Cartagena Protocol on Basified, governments will signal whether or not they are willing to accept imports of agricultural commodities that include LMOs by communicating their decision via an internet-based Basified Clearing House. In addition, shipments of these commodities that may contain LMOs are to be clearly labeled. Stricter Advanced Informed Agreement procedures will apply to seeds, live fish, and other LMOs that are to be intentionally introduced into the environment. In these cases, the exporter must provide detailed information to each importing country in advance of the first shipment, and the importer must then authorize the shipment. The aim is to ensure that recipient countries have both the opportunity and the capacity to assess risks involving the products of modern biotechnology. The United States, while not a Party to the CBD, nevertheless supported the final outcome of the Protocol. The first meeting of the Inter-governmental Committee for the Cartagena Protocol (ICCP-1) took place in Montpellier, France in December, 2000. The second Meeting of the Inter-governmental Committee for the Cartagena Protocol (ICCP-2)took place in October 2001 in Montreal Canada.

Upcoming Activities:

COP-6: The Sixth Conference of the Parties (COP-6) will be held in The Hague, Netherlands, on April 7-19, 2002. Invasive species, including marine invasive species will be a major item on the agenda. COP-6 will also review the operation of the Convention and existing work programs, including the program of work to implement the *Jakarta Mandate* on marine and coastal biodiversity. The two major topics addressed will be biodiversity of forests and the impact of alien invasive species. The latter is of particular relevance to NOAA.

Technical Expert Group on Mariculture: The first meeting of the Ad Hoc Technical Expert Group on Mariculture is tentatively scheduled for July 1-5, 2002, in Rome, Italy.

Staff Contacts

NOAA Fisheries:

Dr. Thomas Hourigan, F/PR
Biodiversity Coordinator
1315 East-West Highway, Room 13806
Silver Spring, MD 20910
Telephone: (301) 713-2319
Fax:: (301) 713-0376

E-mail: tom.hourigan@noaa.gov
Web address:
http://www.nmfs.noaa.gov/prot_res.html

Department of State:

Richard J. Driscoll
Senior Conservation Officer
U.S. Department of State
Office of Ecology and Terrestrial Conservation
(OES/ETC)
2201 C Street, N.W., Room 4333
Washington, D.C. 20520
Telephone: (202) 647-1804
FAX (202) 736-7351
E-mail: driscollrj@state.gov
Web address: http://www.state.gov/www/global/oes

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Basis Instrument

Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087, TIAS 8249)

Implementing Legislation

Endangered Species Act (16 USC 1531-43)

Member Nations

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalem , Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, People's Republic of, Colombia, Comoros, Congo, Congo, Democratic Republic of, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Korea, Republic of, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, former Yugoslav Republic of Macedonia, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Rwandese Republic, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Secretariat Headquarters

CITES Secretariat
International Environment House
Chemin des Anémones
CH-1219 Châtelaine, Geneva
Switzerland
Tel: (+4122) 917-8139/40
Fax: (+4122) 797-3417
Email: cites@unep.ch
Web address: http://www.cites.org/

Budget

The budget for 2001 approved by the Conference of the Parties was CHF 7,594,800 ($5,062,000). The U.S. contribution averages $1.1 million.

U.S. Representation

The Endangered Species Act designates the Fish and Wildlife Service of the Department of Interior, with the assistance of the Department of State, to implement the Convention. FWS is also responsible for inspections of shipments of wildlife through designated ports of entry. The bulk of CITES-listed species are under the management jurisdiction of FWS. However, many species are managed by NMFS, including all the great whales, all the dolphins, all the marine turtles, six seal species, queen conch and all hard coral species listed either on Appendix I or II. All sturgeon species are listed in Appendix II.

The National Marine Fisheries Service draws on the expertise of its regional offices and science centers in order to participate fully in the inter-agency collaboration necessary to implement CITES in both scientific and management concerns.

The Animal and Plant Health Inspection Service of the Department of Agriculture inspects imports of plant species listed on the treaty.

Description

A. Mission/Purpose:

Provides for international co-operation for the protection of certain species of wild fauna and flora against over-exploitation through international trade.

B. Organizational Structure:

The CITES framework includes a Standing Committee meetings annually to conduct the administrative matters of the Convention and to recommend policy actions to the Parties. In addition, there are separate committees on Animals and Plants, which meet annually to review scientific matters, including management questions, and make recommendations to the Standing Committee.

All the committees meet approximately once a year on their own schedules. Conferences of the Parties (COPs) are convened approximately every two years.

C. Programs:

Under CITES, species are listed in Appendices according to their conservation status. In addition, listed species must meet the test that trade is at least in part contributing to their decline. Appendix I species, for which there is no international trade permitted, are "threatened with extinction." Appendix II species are "not necessarily threatened with extinction, "but may become so unless trade is strictly regulated. This regulation usually takes the form of a requirement for documentation from the country of export, monitoring of imports and, in some cases, export quotas. Imports from countries which are not CITES members still require what is called "CITES-equivalent documentation." Appendix III includes all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade.

In order to determine whether such limitation is necessary, the Animals and Plants Committees of CITES undertake reviews of Appendix II species for which there are significant amounts of international trade, from

which recommendations for conservation of the species are made in order that they might avoid being listed in Appendix I.

Of special interest to NOAA Fisheries are significant trade studies for queen conch and hard corals, discussion of the implementation of CITES Appendix II for commercially-exploited marine fish species, cooperative efforts with the International Whaling Commission to control illegal trade in whales, and recent efforts by the Government of Cuba to re-open international trade in hawksbill turtle shells.

Recent Activities

In recent years, there has been an enormous increase in the discussion of issues regarding marine species at CITES meetings. Discussions have ranged from attempts to reopen trade in whales and marine turtles to recommendations to regulate international trade in fish, including sharks, through listing in CITES. At the most recent CITES meeting, 34% of the species proposals under consideration for COP11 and 25 percent of the resolutions offered by Parties directly related to marine species. More importantly, of the most contentious issues at the meeting (and those of highest importance to the United States), more than one-half concerned marine species.

The following are decisions regarding marine issues at COP11:

Whales - The United States, and a coalition of like-minded countries, defeated downlisting proposals for four populations of whales which are under the management of the International Whaling Commission (IWC). This will give the IWC the opportunity to complete the revision of its management regime in order to bring all whaling under effective IWC control. In addition, debate on the US-sponsored resolution confirming cooperation between CITES and the IWC made clear our position, while a resolution of Norway and Japan seeking to separate the actions of the two bodies was defeated by a vote of 31 for, 49 against, with 10 abstentions.

Hawksbill sea turtles - A proposal of Cuba to downlist the “Cuban” population of hawksbill sea turtles, a species for which the United States is a range State, was defeated.

Stony corals - A proposal to weaken standards for the monitoring of international coral trade was defeated.

Marine Fish - Although three U.S.-backed proposals for listing of shark species were not adopted, significant progress was made in the discussions of a working group whose aim was to clarify terms and procedures in the Convention dealing implementation of CITES for marine species harvested on the high seas. Efforts to promote discussion of implementation possible CITES listing of marine fish species were realized at a recent Food and Agriculture Organization Technical Consultation in June and a follow up meeting was proposed.

Black Sea bottlenose dolphin - The United States and Georgia had submitted a proposal to move this population from Appendix II to Appendix I. The United States withdrew the proposal in favor of a referral to the Animals Committee to examine several issues (including the effect of international trade on the population and whether the sub-species is distinct) before the next COP.

Note: Decisions of substance need a 2/3 majority for passage.

The next Conference of the Parties (COP12) will be convened November 3-15, 2002, in Santiago, Chile.

Recent inter-sessional discussions have included the following marine issues:

- efforts to better control international trade in stony corals;
- international trade in seahorses;
- revision of the CITES listing criteria, particularly regarding commercially-exploited marine fish;
- dialogue for range States of hawksbill sea turtles in the Wider Caribbean; and
- management of queen conch in the Wider Caribbean.

Staff Contacts

NOAA Fisheries:

Nancy K. Daves
Office of Protected Resources (F/PR)
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2319
Fax: (301) 713-0376

U.S. Fish and Wildlife Service:

Dr. Peter Thomas
Office of Management Authority
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive
Arlington, VA 22203
Telephone: (703) 358-2095
Fax:: (703) 358-2280

Roddy Gabel
Office of Scientific Authority
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive
Arlington, VA 22203
Telephone: (703) 358-1708
Fax:: (703) 358-2276

International Whaling Commission (IWC)

Basic Instrument

International Convention for the Regulation of Whaling, 1946, (TIAS 1849); Protocol amending 1956 (TIAS 4228).

Implementing Legislation

Whaling Convention Act of 1949 (64 Stat. 421, 16 U.S.C. 916-9161).

Member Nations

Antigua and Barbuda, Argentina, Australia, Austria, Brazil, Chile, China, Costa Rica, Denmark, Dominica, Finland, France, Germany, Grenada, Guinea, India, Ireland, Italy, Japan, Kenya, Republic of Korea, Mexico, Monaco, Morocco, Netherlands, New Zealand, Norway, Oman, Panama, Peru, Russian Federation, Senegal, Solomon Islands, South Africa, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Spain, Sweden, Switzerland, United Kingdom, and the United States.

Commission Headquarters

International Whaling Commission
The Red House
135 Station Road
Impington
Cambridge, CB4 9NP, United Kingdom
Secretary: Dr. Nicky Grandy
Phone: +44-1223-233-971
Fax: +44-1223 232-876
e-mail: iwc@iwcoffice.org
Web address: http://www.iwcoffice.org/

Budget

The Commission approved a budget of US$2,403,313 for 2001-2002. The United States contribution amounts to US$71,937 for 2001-2002.

U.S. Representation

A. Appointment Process:

The Commissioner is appointed by the President, on the concurrent recommendations of the Secretary of State and the Secretary of Commerce, and serves at his pleasure. The President may also appoint a Deputy U.S. Commissioner.

B. U.S. Commissioner:

Rolland A. Schmitten
Director, Office of Habitat Conservation
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
Department of Commerce
Silver Spring, MD 20910

Deputy Commissioner:

Dr. Michael F. Tillman
Director, Southwest Fisheries Science Center
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
La Jolla, CA 92038-0271

C. Advisory Structure:

U.S. representation in the IWC has no formal (legislated) advisory structure. The IWC Commissioner does consult, however, with the "IWC Interagency Committee," which includes representatives of the Department of State, the Marine Mammal Commission, other Federal agencies, conservation organizations, and other interested parties.

Description

A. Mission/Purpose:

The 1946 Convention has as its objective the proper conservation of world whale stocks, thus making possible the orderly development of the whaling industry. The Convention established the IWC to provide for a continuing review of the condition of whale stocks and for such additions to or modifications of the agreed conservation measures as might appear desirable.

B. Organizational Structure:

The IWC consists of the Commission, Secretariat, and subject area committees. The Commission is composed of one member from each Contracting Government, may be accompanied by one or more experts and advisors. Each member government has one vote. Decisions of the Commission are by simple majority of those members voting, except that a three-fourths majority of those members is required for actions to amend the provisions of the Schedule (which contains the binding decisions of the Commission). The Commission can determine its own rules of procedure and may appoint its own Secretary and staff. The Committees may be set up by the Commission from its own members and experts or advisors to perform such functions as it may authorize. At the 2000 IWC annual meeting, the Commissioner from Sweden, Bo Fernholm, was elected to Chair the IWC for the next three years, and Denmark's Commissioner, Henrik Fischer, was elected to serve as the Vice-Chair.

C. Programs:

The IWC normally meets once a year to review the condition of whale stocks and to modify conservation measures as appropriate. The Commission has used various means of regulating commercial whaling including the fixing of open and closed seasons, open and closed areas, protected species, size limits for each species, and limits on the catch of whales in any one season. The IWC recognizes two distinct types of whaling: commercial whaling and aboriginal subsistence whaling.

Past actions by the IWC include establishment of a whale sanctuary in the Indian Ocean area and in the Southern Ocean (in most of the waters south of 40° S. latitude), prohibition on the use of cold grenade (non-exploding) harpoons to kill whales for commercial purposes, a moratorium on all commercial whaling from the beginning of the 1985-86 pelagic and 1986 coastal seasons, and the adoption of a separate and distinct management scheme for

aboriginal subsistence whaling. Criteria for evaluating research involving the killing of whales under special permits

were established because of concerns that some countries would use special permits for scientific research as a means of circumventing the zero catch limits for commercial whaling. The 1946 Convention allows countries to issue special permits authorizing the taking of whales for scientific research.

The 53rd Annual IWC meeting was held in London from July 23-27, 2001. The meeting was marked by controversy surrounding the attempt of Iceland to re-join the IWC with a reservation to the commercial whaling moratorium. The United States opposed allowing Iceland to rejoin with a reservation to the Schedule, and Iceland was invited to attend the meeting as an observer. The United States supported the passage of several resolutions, including two resolutions that were passed urging Japan to refrain from issuing permits to take whales for scientific purposes in both the Northern Pacific and the Southern Ocean. The former specifically criticized Japan's proposal to expand its scientific whaling program in the North Pacific to include the take of sperm and Bryde's whales in addition to its lethal research on minke whales in the Southern Ocean Sanctuary and in the North Pacific. The IWC has concluded that these programs are contrary to its conservation goals, and has repeatedly passed resolutions condemning these lethal scientific whaling programs. The United States supported proposals to establish South Pacific and South Atlantic Whale Sanctuaries. The Sanctuary proposals did not pass, but are expected to be raised again in the future.
As it has done for the past thirteen years, the Commission denied, based on its commercial elements, Japan's request for an interim quota of minke whales for its small-type coastal whalers.

Other actions in 2001 included a joint resolution by Japan and the United States for the IWC scientific committee to study the interactions between whales and fish stocks, a resolution on the importance of habitat protection, a resolution in support of the protocols on Persistent Organic Pollutants and heavy metals, and resolutions on Dall's porpoise and small cetaceans.

The IWC continues to maintain the moratorium on commercial whaling. However, Norway lodged a timely objection to the 1982 moratorium decision, and therefore is not bound by that decision. Thus, it continues to authorize takes of minke whales from the northeast Atlantic. In 2001, as it has done in previous years, the IWC passed a resolution condemning Norwegian whaling outside the Commission.

At the 1997 Annual Meeting, the Commission approved a combined quota of bowhead whales to meet the needs of the Eskimos in Alaska and Russia which allows an average of 56 bowhead whales to be landed each year. The Alaska Eskimos have been conducting aboriginal subsistence hunts with approval of the International Whaling Commission since the commission began regulating such hunts in the 1970s. At the same time, the IWC adopted a quota that allows a five-year aboriginal subsistence hunt of an average of four non-endangered gray whales a year by the Makah Indian Tribe, combined with an average annual harvest of 120 gray whales by Russian natives of the Chukotka region. Russia, the U.S., Denmark (for Greenland), and St. Vincent and the Grenadines (for Bequia) have requested quotas from the IWC for aboriginal subsistence whaling. Aboriginal subsistence whaling quotas will be reviewed at the 54th annual meeting to be held in Shimonoseki, Japan, on May 20-23, 2002.

Staff Contacts

NOAA Fisheries:

Chris Yates
Office of Protected Resources (F/PR)
National Marine Fisheries Service

1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2322

Department of State:

Jean-Pierre Ple
Office of ocean Affairs (OES/OA)
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-3263

PART II. BILATERAL CONSULTATIVE ARRANGEMENTS

NORTH AMERICA

Agreement Between the Government of the United States of America and the Government of Canada on Fisheries Enforcement

Basic Instrument

Agreement between the Government of the United States of America and the Government of Canada on Fisheries Enforcement of September 26, 1990 (House Document 102-22, 102d Congress, 1st Session).

Authorities

Magnuson Fishery Conservation and Management Act, 16 U.S.C. 1822(a), which authorizes the Secretary of State to negotiate international fisheries agreements, and 16 U.S.C. 1855(d), which authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

United States and Canada.

Meetings

Parties meet annually, alternating meetings between the United States and Canada.

Description

The Parties have agreed to take appropriate measures consistent with international law to ensure that their nationals, residents and vessels do not violate, within the waters and zones of the other Party, the national fisheries laws and regulations of the other Party. Such measures shall include prohibitions on violating the fisheries laws and regulations of the other Party respecting gear stowage, fishing without authorization, and interfering with, resisting, or obstructing in any manner, efforts to enforce such laws and regulations; and may include such other prohibitions as each Party deems appropriate.

Bilateral enforcement meetings are held to review past practices and discuss new standards, policies, and strategies for enforcement cooperation. Communications, prosecution practices, evidentiary requirements, regulation interpretation, notification procedures, and hot pursuit comprise the core of discussions.

Recent Activities

9th Annual Meeting: Representatives from Canada and the United States met on May 30-31, 2001, in Halifax, Nova Scotia to discuss issues regarding the Agreement. The two sides reviewed law enforcement actions taken since the previous meeting on May 16-17, 2000, discussed new developments in law enforcement, and explored areas for future cooperation.

Delegations provided overviews of co-operative and enforcement actions by region including the Pacific, the Atlantic Coast and the Great Lakes.

Atlantic Coast: There were no incidents in 2000 that required the exchange of evidence under the Agreement. There were two incidents where Canadian draggers infringed upon U.S. waters. However, investigations revealed that no fishing activity had taken place.

A concern was raised by the Canadian delegation with respect to incursions into Canadian waters around Grand Manan by U.S. lobster fishers. The U.S. Coast Guard confirmed that three to six vessels appeared to be involved. Joint enforcement options were reviewed and both Canada and the United States believe that there is a need for immediate enforcement action. The U.S. delegates agreed to advise their fishers of Canada's zero tolerance policy and Canada offered to send delegates to meetings in the United States in order to address this issue with U.S. fishers. It was noted that this area is within Canada's territorial sea and that it presents unique problems in conducting joint enforcement operations.

Canada was advised that the United States is expected to open Closed Area II in 3-5 years.

West Coast: There were no incidents in 2000 that required the exchange of evidence under the Agreement and delegates from both countries confirmed that cooperation continues at an exceptionally high level. Delegates from both countries agreed that the continuation of joint enforcement initiatives will be important to effectively enforce boundaries.

Canada's Department of Fisheries and Oceans (DFO) reported one incident in Juan De Fuca Strait involving a U.S. vessel fishing in Canadian waters and four incidents (joint patrol) where Canadian vessels fished in U.S. waters in Boundary Bay. Charges were laid in each incident. There are currently three active investigations where the DFO Regional Special Investigations Unit is assisting U.S. authorities.

The possibility of the U.S. Makah Tribe pursuing a grey whale into Canadian waters during its annual hunt was discussed. The U.S. Coast Guard indicated that it did not expect this to be a problem, that it had good relations with the Makah Tribe and if a whale were to be pursued into Canadian waters there should be advance notice. Canadian delegates indicated that this would represent a difficult enforcement and public relations problem for Canada.

Great Lakes: The U.S. Coast Guard, reported 5 encroachments involving 2 Canadian vessels and 16 gillnets. One of these incidents has been accepted for prosecution by the Ontario Ministry of Natural Resources.

U.S. delegates asked about extending the Kingfisher Memorandum of Understanding (MOU) for a 2-year period and if it would be possible to extend this to lakes other than Lake Erie. A DFO representative advised that it appears both countries would like to renew the agreement and that a formal submission would be required to get approval to do so. He indicated that both the U.S. Coast Guard and the Ontario Ministry of Natural Resources have been asked to submit brief reports regarding the first year of operations under the MOU, along with recommendations for renewal, if appropriate. These reports are to be submitted to DFO's Director of Enforcement, Conservation and Protection Directorate, who will then make a request to the Canadian Department of Foreign Affairs and International Trade (DFAIT) for renewal of the MOU. With regard to the possible extension of the MOU to other Great Lakes, the Canadian side stated that the best approach at this time is to seek renewal of the current MOU and once this is accomplished, examine possibilities for expansion to other areas at a later date.

NMFS representatives provided an update on vessel monitoring system (VMS) technology and on their efforts to increase enforcement staff. The possibility of an exchange of information regarding VMS technology was

discussed and it was agreed that this would be beneficial to both countries.

Several issues of national and international interest were also discussed. The U.S. Coast Guard provided a briefing on Project Erickson (Non-Lethal Capabilities & Initiatives). Canadian delegates expressed interest in the non-lethal use of force initiatives. NMFS provided an overview of an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IUU). DFO briefed delegates on the direction Canada was taking regarding fisheries management. Fishery officer recruitment, observer program, dockside monitoring, administrative sanctions, and a stronger role for science in fisheries management were also discussed. DFO Pacific Region provided briefs regarding aboriginal issues, forensic audits, VMS and surveillance platforms. It requested frozen samples of abalone from known locations in order to assist in building an abalone DNA database.

The two sides discussed ways to improve the effectiveness of enforcement operations. Delegates agreed that an exchange of information regarding forensic audits, DNA data, and VMS technology would be beneficial. Currently, U.S. enforcement officers are not permitted to carry firearms in Canadian jurisdictions. This was identified as a stumbling block to joint operations in some areas, and it was felt that a satisfactory resolution to this problem would greatly improve operations.

A presentation was provided by Provincial Airlines (PAL) on the capabilities, procedures, and video and digital imagery of Canada's Air Surveillance Program. This took place at PAL and all equipment, including a platform, were available for viewing.

The Canadian Offshore Scallop Industry Mapping Group provided a presentation on the implementation of multi-beam and satellite tracking technologies. Delegates were impressed with how this allowed industry/science to introduce management schemes that have resulted in an increase in the TAC and a reduction in operating costs to industry.

Delegates agreed that the next annual meeting should be held at a similar time in spring 2002. The U.S. Coast Guard agreed to host the next annual meeting at a date and place to be determined.

The heads of delegation concluded the meeting expressing agreement on the importance of continuing to work closely together to coordinate and ensure the effective delivery of fishery law enforcement programs along the international boundaries. Heads of delegations also expressed the need to continue to share information that will improve the effectiveness of enforcement programs.

Staff Contacts E-mail: mark.spurrier@noaa.gov

NOAA Fisheries:

Mark G. Spurrier
Deputy Chief of Enforcement
Office for Law Enforcement (F/EN)
National Marine Fisheries Service, NOAA
8484 Georgia Avenue, Suite 415
Silver Spring, MD 20910-5612
Telephone: (301) 427-2300
Fax: (301) 427-2055

Department of State:

LCDR Peter Martin, USCG Liaison
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW, Room 5806
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

CENTRAL AMERICA

United States-Mexico Fisheries Cooperation Program

Basic Instrument

There is no formal instrument establishing the United States-Mexico Fisheries Cooperation Program. The U.S. National Marine Fisheries Service (NOAA Fisheries) and the predecessor agency to the Mexican Secretaría de Mexico Ambiente, Recursos Naturales, y Pesca (SEMARNAP) informally agreed in 1983 to meet annually to review the broad range of issues involved in the bilateral fisheries relationship. Additional discussions are held as a small part of the annual Bi-National Commission (BNC) meeting held to review the overall United States-Mexican bilateral relationship. There are three memoranda of understanding (MOU) since agreed to by NOAA Fisheries and SEMARNAP to formalize different aspects of the fisheries relationship: (1) MEXUS-Gulf research program, (2) MEXUS-Pacífico research program, and (3) information exchange. The research MOUs have proven highly effective, but NOAA Fisheries has been unable to arrange continuing reciprocal exchanges under the information exchange MOU and it is currently inactive.

Implementing Legislation

Two laws provide the legal authority for the Cooperation Program. The Magnuson Fishery Conservation Act, 16 U.S.C. 1822(a) authorizes the Secretary of State to negotiate international fishery agreements. Another law, 16 U.S.C. 1855(d), authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Mexico.

Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual costs of the program including staff time, travel, translation services, and miscellaneous expenses total about $60,000 annually. This does not include the cost of various working group meetings, such as the annual MEXUS-Gulf and MEXUS-Pacífico meetings or special meetings like the shrimp management and enforcement meetings held during 1997 and the bycatch reduction device (BRDs) meeting held in 1998.

Representation

The annual Fishery Cooperation Talks (FCTs) are coordinated by NOAA Fisheries and Mexico's Subsecretaría de Pesca (PESCA). Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, Department of Interior (U.S. Fish and Wildlife Service), U.S. Coast Guard, and the Department of State, as well as state government officials. PESCA has invited other government units such as the Instituto Nacional de Pesca, and the Procurator General para el Ambiente (PROFEPA), the Secretaría de Comercio, the Secretaría de Salud, and the Secretaría de Relaciones Exteriores.

Description

A. Mission/Purpose:

The participants have agreed to periodically review the United States-Mexican fisheries relationship. The BNC and FCT discussions serve to reinforce the longstanding cooperative relationship between the United States and Mexico on fishery issues. Formal and informal sessions provide opportunities to exchange information and discuss major issues.

B. Programs:

NOAA Fisheries and PESCA normally meet annually, alternating meetings between the United States and Mexico. The parties also discuss priority fishery issues as part of the annual BNC meeting. More detailed discussions are then conducted at the FCTs. Working group meetings are held as needed. The two science working groups, MEXUS-Gulf and MEXUS-Pacífico, meet annually. Other working group meetings are held as required on such matters as enforcement, management, aquaculture, and other issues.

Initially, the participants decided to omit the most contentious issues and focus on those issues where it was possible to reach some agreement on mutually beneficial projects. As a result, considerable progress was made during the 1980s in expanding cooperative research programs and better understanding each country's fishery laws and policies. The relationship matured during the 1990s; recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species. The meetings help to inform participants of national programs affecting the other country. The participants in recent years have widened the scope of some research projects to include coordinated management and other issues.

C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals and endangered species (especially turtles and mammals) were for several years the focus of discussions, but Mexican officials for many years objected to discussions on the management of commercial fishery resources. Mexican officials in recent years, however, have responded more favorably to NOAA Fisheries suggestions that the two countries initiate information exchanges and share management experiences on various fishery resources. Shark and shrimp management and bycatch reduction in particular have been discussed in some detail. Mexico has even taken the initiative in pursuing possible cooperation on Gulf of Mexico shrimp management, but agreement at the Federal level is complicated by the important role of state agencies.

D. 2000 Meeting

The annual Fishery Cooperation Talks between fishery officials of the United States and Mexico were held in Washington, D.C., on September 14-15, 2000. The meeting marked the twentieth session held with Mexican fishery officials since 1984. The two delegations were headed by the Subsecretario de Pesca, Lic. Carlos Camacho, and Penny Dalton, NOAA Assistant Administrator for Fisheries. The Mexican delegation included representatives of PESCA, the Instituto Nacional de Pesca (INP), and the Office of the Federal Procurator of Environmental Protection (PROFEPA). The U.S. Delegation included participants from various NOAA Fisheries offices, the State Department, and the U.S. Embassy in Mexico City. The discussions in Mexico City explored cooperative efforts in eight major issue areas: (1) research, (2) administration/management, (3) aquaculture, (4) enforcement, (5)

tuna/dolphin, (6) sea turtles, (7) multilateral initiatives, and (8) other matters. A full report of the meeting is available from F/ST3.

E. Future Meetings:

No FCT meeting occurred in 2001.

Contact

NOAA Fisheries:

Office of Science and Technology (F/ST3)
National Marine Fisheries Service, NOAA
1315 East-West Hwy
Silver Spring, MD 20910
Telephone: (301) 713-2286
Fax: (301) 713-4057

SOUTH AMERICA

United States-Chile Fisheries Cooperation Program

Basic Instrument

The basic instrument establishing the United States-Chile Cooperation Program is a Memorandum of Understanding (MOU) between the U.S. National Marine Fisheries Service (NOAA Fisheries) and the Chilean Servicio Nacional de Pesca (SERNAPESCA) signed in 1995.

Implementing Legislation

Two laws provide the legal authority for the Cooperation Program. The Magnuson Fishery Conservation Act, 16 U.S.C. 1822(a) authorizes the Secretary of State to negotiate international fishery agreements. Another law, 16 U.S.C. 1855(d), authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Chile

Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual expenditures for the program including staff time, travel, translation services, and miscellaneous expenses total about $50,000 annually.

Representation

The meetings are coordinated by NOAA Fisheries and SERNAPESCA. Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, U.S. Coast Guard, and the State Department. SERNAPESCA routinely invites other units of the Ministerio de Economía (the Subsecretaría de Pesca and the Instituto de Fomento Pesquero) as well as industry representatives. SERNAPESCA has also invited representatives of the Chilean Navy and Ministerio de Relaciones Exteriores (Foreign Ministry) to attend some sessions.

Description

A. Mission/Purpose:

The participants have agreed to periodically review the United States-Chilean fisheries relationship. The resulting Fishery Cooperation Talks (FCT) provide a forum for U.S. and Chilean fishery officials to review fishery issues of mutual concern. Formal and informal sessions provide opportunities to exchange information and discuss major issues, resulting in a frank exchange of views and information.

B. Programs:

NOAA Fisheries and SERNAPESCA have agreed to hold annual meetings during the first few years of the cooperative program. In the future, as the relationship matures, it may not be necessary for all of the participants to meet annually. It is likely that some of the working groups, however, may require annual consultations. Recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species, research, environment, aquaculture, and information exchange. The meetings help to inform participants of national programs affecting the other country.

C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals was initially the primary focus of the meetings and continues to be an important element. NOAA Fisheries has additionally raised some concerns about Pacific sea turtles, especially leatherbacks. Other important conservation and management issues discussed include enforcement, management strategies and systems, and recreational fishing. Discussions on these issues as well as information exchanges and visits have enabled NOAA Fisheries and Chilean fishery agencies to exchange ideas and experiences in formulating domestic policies as well as to work further on species of mutual interest.

D. 1999 Meeting:

The most recent Fishery Cooperation Talks between fishery officials of the United States and Chile were held in Pacific Grove, California, on November 3-4, 1999. The meeting marked the fifth session held with Chilean fishery officials since 1995. The two delegations were headed by the Chilean Under Secretary for Fisheries, Juan Manuel Cruz, and Andy Rosenberg, NOAA Deputy Assistant Administrator for Fisheries. The Chilean delegation included representatives of different units of the Fisheries Under-Secretariat (SUBPESCA), the National Fisheries Service (SERNAPESCA), the Fisheries Development Institute (IFOP), the Chilean Navy (General Directorate of Maritime Territory and the Merchant Marine), and the Chilean Embassy in Washington. The U.S. Delegation included participants from various NOAA Fisheries offices and the U.S. Coast Guard. The discussions in Pacific Grove explored cooperative efforts in six major issue areas: (1) research, (2) enforcement, (3) administrative/management, (4) multilateral initiatives, (5) aquaculture, and (6) environment. A full report of the meeting is available from F/ST3.

E. Future Meetings:

SERNAPESCA has invited NOAA Fisheries to Vina del Mar, Chile for the next session on April 24-26, 2002.

Staff Contact

NOAA Fisheries:

Office of Science and Technology (F/ST3)
National Marine Fisheries Service, NOAA
1315 East-West Hwy
Silver Spring, MD 20910
Telephone: (301) 713-2286
Fax: (301) 713-4057

ASIA

United States-Japan Consultative Committee on Fisheries

Basic Instrument

There is no formal instrument per se. The two countries agreed to the Consultative Committee via an exchange of diplomatic notes on January 27, 1992.

Implementing Legislation

None.

Member Nations

The United States and Japan.

Meetings

The Committee meets on an annual basis, or at other times as may be considered appropriate, in the United States or Japan. The venue for the Committee is decided prior to each meeting.

U.S. Representation

The Committee consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Mary Beth West, Deputy Assistant Secretary of State for Oceans and Space, Department of State.

Description

The U.S.-Japan Consultative Committee on Fisheries was formed to promote bilateral cooperation in the field of fisheries and fisheries research. It replaced the more formal Governing International Fisheries Agreement (GIFA) between the United States and Japan that expired on December 31, 1991. The Consultative Committee holds regular high-level bilateral consultations on fishery issues of mutual concern.

Recent Activities

Government delegations from the United States and Japan last met at the Ministry of Foreign Affairs in Tokyo, Japan, on June 15-16, 1999, to conduct the Seventh Meeting of the U.S.-Japan Consultative Committee on Fisheries. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans, Fisheries, and Space, Department of State, and Mr. Minoru Morimoto, Deputy Director-General of the Fisheries Agency of Japan, led the Japanese delegation.

The two delegations exchanged views on the full range of issues in the U.S.-Japan fisheries relationship. Topics of discussion included implementation of the United Nations (UN) Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the UN Food and Agriculture Organization (FAO) Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. Representatives also discussed the conservation and management of tuna stocks in the Atlantic and Pacific Oceans, as well as fisheries in the central Bering Sea and northwest Atlantic Ocean. They also exchanged views on the implementation of the FAO International Plans of Action on Conservation and Management of Sharks, the Reduction of Incidental Catch of Seabirds in Longline Fisheries, and the Management of Fishing Capacity, as well as on other issues of mutual concern, such as the World Trade Organization and the International Whaling Commission.

The delegations of both countries reaffirmed the value of maintaining and further strengthening the long-standing cooperation between the United States and Japan in these and other fisheries issues. They also confirmed that recent years had witnessed remarkable accomplishments in the international fisheries arena.

The United States was scheduled to host the Eighth Meeting of the Committee in August 2000 in Washington. D.C., however, the meeting was canceled in protest of Japan's expanded lethal scientific whaling program in the Northwestern Pacific Ocean. The Committee did not meet in 2001, but is exploring opportunities to resume consultations in 2002.

A full report of the Seventh Meeting of the Committee can be obtained from the National Marine Fisheries Service staff contact below.

Staff Contacts

NOAA Fisheries:

Paul E. Niemeier
Office of Sustainable Fisheries (F/SF4)
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13113
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: paul.niemeier@noaa.gov

Department of State:

H. Stetson Tinkham
Office of Marine Conservation (OES/OMC)
Department of State
2201 C Street, NW, Room 5806
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350
E-mail: tinkhamsx@state.gov

EUROPE

Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations (Basic Instrument for the U.S.-Russia Intergovernmental Consultative Committee -- ICC)

Basic Instrument

Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations of May 31, 1988, as amended (TIAS 11442, the U.S.-Soviet Comprehensive Fisheries Agreement). Note: The obligations of the former Soviet Union under this agreement have devolved on the Russian Federation.

Implementing Legislation

Public Law 100-629 (An untitled Act that implemented the Comprehensive Fisheries Agreement. Enacted November 7, 1988).

Member Nations

The United States and the Russian Federation.

Meetings

The ICC meets alternately in the United States and Russia, usually on an annual basis, at the discretion of the heads of delegation.

U.S. Representation

Under the Rules of Procedure established for the ICC, the United States and Russia are to designate a Representative and an Alternate Representative. The current U.S. Representative is Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries Affairs. To date, the United States has not identified an Alternate Representative.

Pursuant to Section 5 of Public Law 100-629, a 12-member "North Pacific and Bering Sea Fisheries Advisory Body" was established to advise the U.S. Representative to the ICC. This body consists of the following individuals:

(A) The Director of the Department of Fisheries and Wildlife of the State of Washington;
(B) The Commissioner of the Department of Fish and Game of the State of Alaska;
(C) Five members appointed by the Secretary of State from a list of ten nominees provided by the Governor of Alaska; and,
(D) Five members appointed by the Secretary of State from a list of ten nominees provided by the Governor of Washington.

Description

The United States and the Russian Federation maintain the bilateral ICC fisheries forum pursuant to the U.S.-Soviet Comprehensive Fisheries Agreement, signed on May 31, 1988. The ICC is responsible for furthering the objectives of the Comprehensive Fisheries Agreement. These objectives include maintaining a mutually beneficial and equitable fisheries relationship through (1) cooperative scientific research and exchanges; (2) reciprocal allocation of surplus fish resources in the respective national 200-mile zones, consistent with each nation's laws and regulations; (3) cooperation in the establishment of fishery joint ventures; (4) general consultations on fisheries matters of mutual concern; and, (5) cooperation to address illegal or unregulated fishing activities on the high seas of the North Pacific Ocean and Bering Sea. The current agreement is in force through December 31, 2003.

Current Status

Representatives from the Russian Federation and the United States conducted the 12th Session of the ICC at the National Marine Fisheries Service (NMFS) Alaska Fisheries Science Center in Seattle, Washington, on January 17-19, 2001. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans and Fisheries, and the Russian delegation was led by Dr. Boris Kotenev, Director, VNIRO (Fisheries Research Institute).

The following mutual fisheries issues were discussed at the ICC meeting:

Status of Pollock Stocks and Fisheries Research Cooperation:

The United States reported on the status of pollock stocks in the U.S. zone. For overall stock assessment, the United States uses age-structured models to track the population dynamics of the EBS stock. The year 2000 model, predicted an exploitable pollock biomass (age 3+) of 10.8 million metric tons (mmt), up 43% from 1999 and close to the historic peak estimate. The model also showed that the 1996-year class is very strong and is contributing significantly to the overall biomass.

EBS Shelf: As a result of the 2000 trawl survey, the total pollock biomass for the EBS shelf was estimated at 8.19 million t--3.05 million t off-bottom and 5.14 million t on-bottom. The off-bottom biomass estimate was down 7 percent from 1999, whereas the on-bottom estimate was up 44 percent from 1999. The 2000 survey also confirmed that the 1996-year class was the dominant year class. The U.S. side informed the Russian delegation that the United States would conduct a bottom trawl survey again in the summer of 2001 using a chartered fishing vessel. If Russia wishes to participate in the survey, the request must be sent to Dr. Gary Stauffer at the Alaska Fisheries Science Center.

Bogoslof Island: The U.S. side reported that acoustic-trawl survey of the southeastern Aleutian Basin near Bogoslof Island to assess spawning pollock aggregations in February-March 2000 resulted in a biomass estimate of only 301,000 t (or 270,000 t in the Central Bering Sea pollock-reference area)--the lowest survey biomass on record.

The United States plans to conduct a Bogoslof Island survey cruise in March 2001 with the research vessel *MILLER FREEMAN*. Russia asked to place a VNIRO acoustician with a portable Simrad EK 500 echo-sounding system on the cruise with the intent of calibrating this equipment with the equipment on the *MILLER FREEMAN* for use in Russia's Navarin Basin area survey in summer 2001. The U.S. side said agreed.

The Russian side presented results of its research on pollock fishery resources in late 1999 and 2000.

Western Bering Sea (WBS): Bottom trawl surveys, as well as acoustic, fingerling, and ichthyoplankton surveys were conducted in the WBS by VNIRO, TINRO-Center, KamchatNIRO, and the Chukchi Branch of TINRO-Center. Two pollock research cruises were conducted by KamchatNIRO in February-May and November-

December 2000 in the WBS. VNIRO conducted four pollock research cruises from April through December 2000 jointly with TINRO-Center and KamchatNIRO. The range of the WBS pollock stock has become smaller in recent years. The major part of the stock seems to remain within the Karagin and Olyutor Bays and stock biomass has stayed at the low level of 1999--about 7,500 t. About 43 percent of the spawning stock consisted of pollock of the 1995 year class. Fish of the 1995-1997 year classes comprised the fishing stock and most were immature. The 1996-1997 year classes will be dominant in the fishing stock in upcoming years. The 2000-year class in the Karagin and Olyutor Bays was lower in abundance than the multi-year average. Because the WBS stock remains in a depressed state, fishing on this stock will be closed during 2001.

Navarin Basin: In the second half of 1999 and in 2000, VIRO, KamchatNIRO, and TINRO-Center conducted six bottom trawl surveys, six juvenile surveys, one ichthyoplankton survey, and one acoustic survey in the Navarin area. The results of these surveys indicated that the biomass of the Navarin pollock stock has not changed significantly since 1999--approximately 400,000-500,000 t. The analysis of surveys of juveniles in the Navarin area between June 1999 and November 2000 showed that the recent year classes (1997-1999) of pollock are average in terms of abundance. Individual fish born in 1996-1997 prevailed and constituted over 50 percent of the catches. The 1995-1996 bottom survey data compared with those of 1999-2000 indicate that the biomass of the fishing stock has dropped by 5-6 times.

Research Vessel Clearances: The NMFS Alaska Fisheries Science Center will not be conducting an EBS shelf hydro-acoustic research cruise in 2001, but will instead conduct its standard annual trawl surveys. For this reason, the United States will not apply for permission to enter the Russian zone to conduct Navarin shelf research in 2001. The U.S. side said it would apply for permission to work in the Navarin area in summer 2002 later in 2001. The United States would like to coordinate survey efforts with TINRO scientists, including intership hydro-acoustic equipment calibration. The U.S. delegation suggested that if logistics permitted, it would be good to have a Russian scientist on board for that cruise. The United States emphasized the importance of collaborative research efforts and requested Russian State Committee on Fisheries support for the 2002 request for the *MILLER FREEMAN* to conduct research in the Russian EEZ. The U.S. side also asked for any advice the Russian side could provide that might improve chances for approval.

The Russian side expressed its support for U.S. plans to conduct ship-based research in the Russian EEZ, while also noting that deciding on a program of joint scientific research will simplify the process of coordinating the plan of ship-based research. The Russian side suggested that intercalibration of acoustic equipment be conducted in 2001.

Salmon Issues

North Pacific Anadromous Fish Commission (NPAFC) Salmon Issues: The United States raised two issues regarding data exchange through the NPAFC. The U.S. side asked Russia to report its driftnet research catches of salmon, including catch by regions, subregions, and species by number and weight, to the NPAFC. The United States also indicated it would like ICC support for continuing the exchanges of specimens of various salmon species for genetic and river-of-origin studies under the auspices of NPAFC. The Russian side responded that it would provide the driftnet information requested to NPAFC. It confirmed that Russia's driftnet research catches were 6,500 t in 2000, of which 600-700 t were taken in the Bering Sea. Most of this fish was pink and chum salmon; 20-25 percent was sockeye salmon. Russia also supported the continued exchange of salmon specimens on an institution-to-institution basis.

Both countries expressed support for the new NPAFC science plan. The plan encompasses three major areas of salmon research--Bering Sea research, winter research, and juvenile salmon research. The United States said it would like to coordinate closely with Russia on the implementation of the new plan and suggested that U.S. and

Russian points-of-contact be named to work on implementation details after the ICC meeting. Dr. Kate Meyers will be the U.S. point-of-contact. Russia will name a point-of-contact at a later date. The U.S. side urged Russia to contribute ship time and historical data sets, and make an additional effort to recover high seas salmon tags.

The United States suggested that since both sides have agreed to carry out coordinated research efforts in a number of fora, holding an annual bilateral research coordination meeting with Russia would allow scientists to get together and discuss research issues in depth. Russia agreed with this concept, but suggested that initial coordination could perhaps be conducted via e-mail, due to financial considerations. Both sides agreed to set up coordination teams to initiate this process.

Intermixing of Salmon Stocks in the Russian EEZ: The United States stated that there has been little research conducted on the intermixing of salmon stocks in the Russian EEZ. The U.S. side said it would like to evaluate previous research on the mixed stocks and initiate new research to assess the impact of offshore fisheries on stocks of different origin.

In addition to seeking historical data, the United States believes there is a need to initiate new research programs. To that end, the United States proposed two new cooperative scientific research initiatives: (1) the placement of U.S. scientific observers on commercial and research salmon driftnet fleets in the Russian zone to collect specimens for scientific research, and (2) the collection of salmon specimens for stock identification studies on Russian vessels by Russian scientists or fishermen. The United States suggested that specific contact persons be designated to work out the details for carrying these initiatives. Dr. Kate Meyers will be the U.S. contact person.

The Russian delegation noted the importance of the salmon problem, and explained that according to the data from extensive scientific research, including that of the NPAFC, there is no intermixing of Russian and U.S. salmon stocks. Russia said it is possible that a very small number of immature fish migrate beyond the edge of the normal feeding range in July and during later periods. Data on differentiating stocks on the basis of scale structure and genetic markers confirms this point of view. Russia maintained that the maximum number of fish of U.S. origin that might be caught in the Russian EEZ in the Bering Sea is no higher than a few thousand, and more likely a few hundred--only a very small percentage of the total U.S. returns. With regard to joint Russian-Japanese salmon research, Russia noted that this research was dedicated exclusively to Russian and Japanese salmon stocks. The Russian delegation noted that funds have been allocated for genetic research on a series of salmon stocks.

The Russian delegation said that if the United States would compensate for vessel expenses for scientific research, work according to the program could begin in February 2001. Russia is prepared to provide a vessel for joint Russian-U.S. scientific research. Dr. Sergei Sinyakov was designated the point of contact for the Russian side.

Enforcement

Cooperation Between U.S. and Russian Fisheries Enforcement Organizations: Engagement between the U.S. Coast Guard in Alaska and the Federal Border Service in Kamchatka is strong and productive. There were two visits in 2000 between the Admiral and General to plan cooperative enforcement efforts. As a result, a joint Russian/U.S. fisheries training class will be held at the Coast Guard's facility in Kodiak, Alaska, in January 2001. Also, the United States is hosting a multi-agency meeting of adjudicators with their Russian counterparts next month in Anchorage to exchange information on fisheries laws, evidentiary requirements, and penalties.

Violations in the Vicinity of the U.S.-Russia Maritime Boundary in the Bering Sea: Excellent U.S.-Russian enforcement relations enabled greater cooperation by both sides along the maritime boundary line in 2000. Twenty-six vessels were detected in the U.S. zone in 2000, compared to 90 in 1999. Six of the vessels were apprehended for illegal fishing in the U.S. EEZ, of which four involved direct cooperation between the U.S. Coast Guard and the Federal Border Service. In the case of the fishing vessels *GEMINI* and *EKARMA-3*, joint boardings were conducted. Although an improvement over 1999, the 26 violations are still a concern.

The Russian side reported that the number of fishery violations in Russia's EEZ near the maritime boundary line in 2000 dropped from the 1999 level by 1.5 times. There were 21 violations with the following breakdown by country: Russia(6), China(13), Republic of Korea (2). As a result of joint Russian-U.S. inspections, four vessels were detained, two of which were Russian. The Russian vessel *GEMINI* was fined 16,698 rubles, charged with damages in the amount of 2,378,437 rubles, and had 21.7 tons of pollock valued at 56,072 rubles seized. The *EKARMA-3* was fined 41,745 rubles, charged with damages in the amount of 126,025 rubles, and had 2,016 tons of pollock valued of 14,076 rubles seized. The Russian legislature is currently considering a proposal that would strengthen the penalties for fishing violations in the Russian EEZ. In 2001, the Northeast Regional Directorate of the Federal Border Service, U.S. Coast Guard District 17, and Canada plan to conduct enforcement events in accordance with a coordinated plan, which will be discussed in Vancouver in January 2001.

Northern Bering Sea Intergovernmental Fisheries Agreement

The Parties discussed a Russian proposal on a joint regime of conservation, management and sustainable utilization of pollock resources in the northern Bering Sea, and agreed to continue discussion of the draft agreement in Moscow in the summer of 2001 or later, following the receipt by the United States of a full proposal of a draft agreement from Russia.

Cooperation in International and Regional Fisheries Organizations

The two sides exchanged views with respect to fishery issues under consideration in a number of international and regional fisheries organizations. These organizations included the United Nations (implementation of the UN Fish Stocks Agreement and the FAO Agreement to Promote Compliance with Conservation and Management Measures by Fishing Vessels on the High Seas), the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea, the Northwest Atlantic Fisheries Organization (NAFO), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the North Atlantic Salmon Conservation Organization (NASCO), North Pacific Marine Science Organization (PICES), the Southeast Atlantic Fisheries Organization (SEAFO), and the Convention on International Trade in Endangered Species (CITES).

Prevention of Seabird By-catch in the Longline Fisheries of the North Pacific

The United States described the status of the U.S. National Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries and steps already taken to implement this plan in U.S. longline fisheries conducted in the Pacific Ocean. The U.S. side encouraged Russia to play a part in addressing this international problem by preparing on a voluntary basis its own National Plan of Action.

The Russian delegation responded that the bycatch of seabirds was an object of discussion in the framework of CCAMLR. The Russian delegation reported that approximately 40 longline vessels operate in the Russian zone in the Far East. A longline fishing technique is being developed which will allow minimization of the bycatch of seabirds. Russia considers the acoustic scaring of birds the most effective method.

Sea of Okhotsk

The United States requested information from the Russian side on any measures Russia has adopted for the conservation of pollock resources in the Sea of Okhotsk, including the central Sea of Okhotsk, in 2001. The U.S. side has learned that Russia plans to suspend the issuing of pollock quotas to foreign countries in the Sea of Okhotsk in 2002 and expressed concern about the possible transfer of foreign fishing effort to the western Bering Sea and Navarin Basin area as a result of this action. The United States also expressed interest in any recent resource survey results and status of stock assessments for major species, as well as catch and effort statistics for major fisheries, in the Sea of Okhotsk and adjacent areas.

The Russian side reported that there was a significant reduction in the northern Sea of Okhotsk pollock stock in 2000. This stock serves as the basis for the pollock fishery in the open portion of the Sea of Okhotsk. The total allowable catch (TAC) of this stock fell from 900,000 t in 1995 to 510,000 t for 2001. Based on the autumn 2000 survey, the pollock TAC in the northern Sea of Okhotsk Sea may be set at 180,000 t in 2002. That figure will be adjusted, depending on the results of monitoring and surveys in the winter and spring of 2001. Russia announced it is discontinuing the allocation of pollock catch quotas in the Sea of Okhotsk to foreign vessels starting in 2002. The Russian side also reported that the size of pollock stocks in west Kamchatka and east Sakhalin remains low. If the biomass of the Sea of Okhotsk pollock stocks continue to decline, it will become necessary to completely close the fishery. The Russian delegation said that no allocations will be given to foreign vessels displaced from the Sea of Okhotsk anywhere in Russian waters.

Implementation of Russia's Vessel Monitoring System (VMS)

The Russian side provided an overview of its new VMS operations. Russia currently has two VMS centers, in Murmansk and Petropavlovsk. These two centers provide coverage of the Russian zone as well as the zones of several foreign countries. In 2000, there were 2,200 vessels registered in the Russian Far East industry monitoring system and 640 registered in the European part of Russia. Commercial activity was prohibited for vessels without the required monitoring system on board. A third industry monitoring center will be opened in Moscow in 2001.

Russia noted that analysis of the information provided by the monitoring system revealed a large number of violations, thus reducing the overall loss to Russia from poaching in the amount of approximately six billion rubles. The Russian side said it is continuing to develop a tamper-proof computerized version of a vessel log, which would allow a vessel's activities to be scrutinized at any time from shore.

Other Issues of Mutual Interest

Large-scale, High Seas Driftnet Fishing Issue: The United States reiterated its commitment to full implementation of the UN moratorium on large-scale driftnet fishing on the high seas. The U.S. side explained that in August 2000, the U.S. Government asked the Russian Government to provide (1) a statement indicating what steps it is taking to deter future incidents of large-scale high seas driftnet fishing involving Russian nationals and vessels and (2) any updated information on its actions with respect to prior incidents. In regard to the second request, the United States provided Russia with a list of Russian driftnet vessel sightings from 1998-2000. The U.S. side said it would greatly appreciate receiving a detailed response from Russia on this request, as well as an explanation of the vessels on the list.

The Russian delegation expressed its concern about continued illegal high seas driftnet fishing and reported on its active battle with poachers, both on the high seas and in the Russian EEZ. In the NPAFC Convention area in the North Pacific Ocean, the Federal Border Service actively cooperates with the U.S. Coast Guard in enforcing the moratorium on high seas driftnet fishing; the detention of the Honduras-flagged vessel *ARCTIC WIND* is an example of this cooperation. In the Russian EEZ in 2000, two vessels were detained for illegal fishing: the

trawler/seiner *SEA DRAGON* ("*MORSKOI DRAKON*") and the fishing schooner *CAPITAN ROLZING* ("*KAPITAN ROL'ZING*").

Steller Sea Lion Issues: The U.S. side provided details on the fisheries management measures that have been developed for the Gulf of Alaska, Aleutian Islands, and Bering Sea to prevent further Steller sea lion declines and ensure their recovery and the severe impact of these measures on the pollock fishery in the U.S. zone.

The Russian delegation reported on the status of sea lions in the Russian EEZ. The total number of sea lions in the Far East region is approximately three and a half times smaller than it was in the 1950s and 1960s. As a result, sea lions have been in the Russian Red Book since 1992 and their commercial use is prohibited. According to available data, the number of sea lions in Russian Far East waters during the period 1997-2000 was 10,500. The Russian delegation pointed out that there is no correlation between long-term fluctuations in the numbers of pollock and sea lions. Russia maintains that pollock fishing does not have a decisive impact on the decline of the sea lion population.

Fishing Vessel Crew Member Visa Extensions: The Russian delegation reported that in recent years, U.S. immigration officials have made visa procedures more difficult for the crews of Russian fishing vessels stopping in West Coast ports for repairs. Visas are issued for only 29 days without the possibility of extension. As a result, if repairs take longer than 29 days to complete, Russian crews are forced to stay on board their vessels for extended periods of time. If they voluntarily go ashore, they risk arrest and deportation, and could be denied entry into the United States for up to 10 years. This issue was raised at the tenth session of the ICC and during the course of the Russian-American consultation on bilateral problem issues in November 2000. The U.S. side said that this issue could be addressed in the ICC forum, but cautioned the Russian side that there may not be discretion under U.S. law to resolve the issue.

Time and Place of the Next Meeting

The two sides agreed that the 13th Session of the Committee could be held in Moscow in October or November 2001. However, due to scheduling conflicts, the session was postponed until fall 2002. An exact time and location will be confirmed through diplomatic channels.

A copy of the complete minutes of the 12th Session of the U.S.-Russia ICC is available from the National Marine Fisheries Service upon request.

Staff Contacts

NOAA Fisheries:

Paul E. Niemeier
Office of Sustainable Fisheries (F/SF4)
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13113
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: paul.niemeier@noaa.gov

Department of State:

H. Stetson Tinkham
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW, Room 5806
Washington, D.C. 20520-7818
Telephone: (202) 647-3941
Fax: (202) 736-7350
E-mail: tinkhamsx@state.gov

United States-European Union High Level Fisheries Consultation

Basic Instrument

There is no formal instrument.

Implementing Legislation

None.

Members

The United States and the European Union (EU).

Meetings

The United States and the EU meet on an annual basis, alternating between the United States and the EU.

U.S. Representation

The Consultation consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Ambassador Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries, Department of State.

Description

The United States and the EU first met in 1997 to promote cooperation in the field of fisheries and fisheries research. Since then, they have held annual consultations to review fishery issues of mutual concern.

Recent Activities

Delegations from the United States and the European Commission met in Brussels on July 11-12, 2001, for High Level Fisheries Consultations. Ambassador Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries, headed the U.S. delegation. Mr. Steffen Smidt, Director-General of the Directorate-General for Fisheries, led the European Commission delegation.

The two sides discussed a wide range of bilateral and multilateral issues relating to U.S./EU fisheries relations. Much of the discussion focused on the EU's "Green Paper"--the process by which the EU is reviewing and revising its Common Fisheries Policy . Multilateral issues involving regional fisheries organizations, including the Northwest Atlantic Fisheries Organization (NAFO), the International Commission for the Conservation of Atlantic Tunas (ICCAT), and the Inter-American Tropical Tuna Commission (IATTC), were also discussed. Some of the major issues were:

United Nations Fish Stocks Agreement (UNFSA): The United States reiterated the need for the EU to ratify UNFSA as quickly as possible and once again asked if it might not be possible for individual member states to ratify before the EU ratifies as a whole. The EU delegation stated that the EU still needs to deposit all instruments of ratification simultaneously and it hoped to be in the position of ratifying by the end of the year. At the time of the consultation, 8 member states out of a total of 15 had approved ratification.

Food and Agriculture Organization of the United Nations (FAO)Issues: The EU said it had produced a National Plan of Action on Illegal, Unregulated and Unreported Fishing and would formally introduce the Plan at the FAO. It expressed interest in the U.S./Chile concept of a network for international monitoring, control, and surveillance and said it would introduce this idea to the Commission. The EU said it wants to help developing countries improve control and that part of the money given to these countries in exchange for EU fisheries access is earmarked for building control infrastructure. Both sides also reiterated their support for the Reykjavik Conference on Responsible Fisheries in the Marine Ecosystem. The EU stated that there is a need to debate the definition of "ecosystem management" and to come to a common definition at the Conference. The EU also shared the U.S. position regarding FAO status and trends reporting, and in particular the need for the adoption of international measures to improve such reporting.

Green Paper: The EU delegation described the Green Paper and various reform issues. The EU said it had solicited views from all sectors. Its goal is to have a new Common Fisheries Policy in place by the end of 2002. The United States stressed to the EU the need to place more emphasis on conservation and sustainable management in the international policy section of the Green Paper. The U.S. side told the EU that there is a public perception that the EU is exporting excess fishing capacity to places where fisheries are already oversubscribed. The EU side responded that there is a willingness in the EC to integrate environmental policies into fisheries, but that translating this willingness into action will be a challenge. The EU is struggling with how to balance socio-economic factors with the environment. There is an ongoing debate in the EU about how much power the Commission has to regulate national fisheries with respect to capacity and whether member States will follow Commission directives. The U.S. side urged the Commission to establish rules about how capacity is reduced and the export of capacity.

The EU side said that an EU objective is to be more proactive in promoting responsible fishing in international waters and in its bilateral relationships. Regarding regional cooperation, however, Commission and Council decisions are subject to a lot of criticism from members about being too restrictive. Regarding bilateral cooperation, the EU's goal is to help developing countries develop a capacity for exploiting their own fisheries in a responsible fashion. The EU is trying to find a reasonable balance between the assistance the Community wants to provide, obtaining decent fishing rights for EU fishermen, and still being able to claim that the EU is conserving fish stocks in the countries involved. The U.S. side expressed its concern that the EU is willing to support unsustainable fishing policies to preserve its fishing access rights, and to solve some of its domestic problems, it is willing to ship these problems to other parts of the world.

Bilateral Relations: DG-IV is in the process of requesting a directive from the Council to negotiate a new Governing International Fishery Agreement with the United States. The EU delegation said that it could take at least 6 months before the EU can formally open discussions with the United States.

NAFO Issues :

Dispute Settlement (DS)-- The EU side said that NAFO needs a DS process of its own; that the issue can't be solved by waiting until UNFSA is in force because there is no way of knowing how many NAFO members will ratify UNFSA. Also UNFSA DS is limited to straddling stocks and highly migratory stocks, not discrete stocks, and has an escape clause for those countries who have ratified the UNFSA, but not the UN Convention on Law of the Sea.

Precautionary Approach–The EU said it is committed to organize a meeting to address this issue, but has been unable to do so yet because of the DG-IV reorganization. The earliest it could take place is in spring 2002.

3M Shrimp--The EU said it is not a major player in the 3M shrimp fishery, but is concerned about recent developments. The EU side said it could support a TAC and quota system and believes that allocations should be based on a representative time series and not recent aberrations. The fact that scientific advice is not available until November is a major obstacle to discussions concerning quotas.

Chartering–The EU stated that chartering in NAFO or other RFOs is an unwelcome development–it is afraid that NAFO could become an organization of quota traders rather than an organization of fishing nations. It believes that there must be a genuine link between the quota holder and the vessel doing the fishing. The EU also believes that division entitlements should not be transferrable.

ICCAT Issues:

The U.S. side said that the United States and the EU need to work more closely in ICCAT; that serious issues threaten the core of ICCAT and that what happens over the next few years is critical to the future of the Commission. The EU side agreed that there is a need to work more closely together.

Allocation Criteria--The EU side said that the developing states need to show some flexibility before any progress can be made.

Monitoring and Compliance--The EU side stressed the need for proper control and enforcement in ICCAT. It said it felt that progress had been made at the May 2001 Working Group meeting, but were disappointed that the developing countries were reticent about including control issues, as well as monitoring issues, under the mandate of the Working Group. The EU will push for a continuation of the WG and expand its mandate to include both monitoring and control measures. It expects to table a paper on this issue. The U.S. side outlined other problems, including sparse attendance, overlap between the Working Group and other ICCAT bodies, such as the Compliance Committee, and problems of time and money.

Overfishing and Compliance--In response to U.S. criticism about the EU's lack of leadership in ICCAT, the EU acknowledged its shortcomings but said that the EU's situation is quite complex. It has to balance a number of different issues in relation to compliance. EU member states need time and the will to improve and EU fishermen need to be convinced that what is being implemented in ICCAT is reasonable. EU member states feel that the EU is being singled out by the United States. The EU side explained that changing the fishermen's behavior is not an overnight job--it's difficult to change well-established practices. The EU cautioned the U.S. side that too much criticism may be counterproductive. It said that the Parties need to prioritize what they want out of the November meeting and not lose sight of the main targets.

Statistical Document Programs--Regarding the bluefin tuna statistical document, the EU said that the current system fails to take into consideration the EU's main area of concern--tuna farming. It is the EU's view that caged tuna is distorting trade and misrepresenting compliance. Regarding the bigeye tuna statistical document prepared by Japan, the EU said it didn't understand why an IUU issue primarily with Taiwan requires a document that covers all bigeye fisheries. Regarding swordfish, the EU is interested in developing an ICCAT swordfish statistical document; the problem is putting it into force. Swordfish is coming from the Atlantic (which ICCAT covers), as well as the Indian Ocean and South Pacific (which ICCAT doesn't cover). The EU expressed doubt that ICCAT has the legal power to cover all swordfish fisheries.

Sharks–The EU side said it really didn't have any shark experts, but intended to ask ICCAT at the November 2001 annual meeting to start collecting shark trade data.

IATTC: Budget Contributions--The EU was concerned about the potential impact on member states of an intermediate-term contribution scheme. The EU is not prepared to pay 40% of the IATTC budget based on only five vessels, but is willing to pay a reasonable amount. For future contribution formulas, the EU believes the new IATTC Convention will require a brand new contribution scheme. EU said it would like to make a contribution, but can't because it is not yet a member. The solution is to get the EU membership in the IATTC.

MHLC: The EU said that, in terms of the MHLC's structure and provisions, it shares many of Japan's concerns and interpretations, but lamented the fact that Japan is a part of the MHLC and the EU is not. It was disappointed that Japan didn't want the EU to participate in the PrepCom meeting. The EU believes that the MHLC is an important tuna organization and that it has to respect the concerns of the developing island states. The EU's entry into the organization would not prejudice island interests. The EU said it wants to take part in the MHLC process. The U.S. side responded that it supported EU participation in the PrepCom process, but does not support reopening portions of the Convention for negotiation.

Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR : The EU expressed concern that people are finding mechanisms to bypass CCAMLR's toothfish catch documentation scheme. The two sides discussed the issue of China's implementation of the scheme. The U.S. side asked for data on EU imports of toothfish; EU replied it would comply.

Incidental Capture of Sea Turtles in Longline Fisheries: The EU believes that this issue is best dealt with by regional organizations, such as ICCAT and IATTC. The EU said it had supported recent research on sea turtle bycatch in longline fisheries in the Mediterranean and found that bycatch rates were not large. However, the results were only preliminary and the EU said it would pass the final results to the United States.

Ecolabelling: The EU side said it believes that the Government should provide the public a framework to develop an ecolabel. There is some question of what standards should be used and what the exact role of the public should be in this process. Overall, the EU's desire is to leave as much as possible to the private sector. The U.S. side reiterated that any ecolabel should be science-based and not a disguised trade restriction.

Next Meeting

The United States will host the next session of the U.S.-EU High Level Fisheries Consultations in Washington. D.C. in July 2002.

Staff Contacts

NOAA Fisheries:

Paul E. Niemeier
Office of Sustainable Fisheries (F/SF4)
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13113
Silver Spring, MD 20910
Telephone: (301) 713-2276
Fax: (301) 713-2313
E-mail: paul.niemeier@noaa.gov

Department of State:

Deirdre Warner-Kramer
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C Street, NW, Room 5806
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

PART III. SCIENTIFIC ORGANIZATIONS AND COUNCILS

PACIFIC OCEAN

North Pacific Marine Science Organization (PICES)

Basic Instrument

Convention for a North Pacific Marine Science Organization (PICES)

Implementing Legislation

No implementing legislation. Self-executing treaty; under the general authority of the Secretary of State.

Member Nations

Canada, Japan, People's Republic of China, Republic of Korea, Russian Federation, and the United States of America

Organization Headquarters

Dr. Alexander S. Bychkov
Executive Secretary
PICES Secretariat c/o Institute of Ocean Sciences
P.O. Box 6000
Sidney, B.C., Canada V8L 4B2
Telephone: (250) 363-6364
Fax: (250) 363-6827
E-mail: bychkov@pices.int
E-mail: pices@ios.bc.ca
Web address: http://pices.ios.bc.ca/

Chair of Governing Council: Dr. Hyung-Tack Huh
Director, Korea Ocean Research and Development Institute

Vice Chair: Dr. Vera Alexander
Dean, School of Fisheries and Ocean Sciences
University of Alaska

U.S. Representation

A. Appointment Process

The United States is represented on the PICES Governing Council by two delegates appointed by the Secretary of State in consultation with interested agencies and institutions: one from a major Federal Government research agency and one from a research university or other academic institution. The United States is represented on the Scientific Committees and Working Groups created by the Governing Council by individuals appointed by the Secretary of State in consultation with interested agencies and institutions.

B. U.S. Delegates:

Federal Government Representative:

Dr. Richard Marasco
Alaska Fisheries Science Center (F/AKC)
National Marine Fisheries Service, NOAA
7600 Sand Point Way, NE
Seattle, WA 98115-6349
PH: (206)526-4172
FAX:(206)526-6723
Internet: Rich.Marasco@noaa.gov

Academic Representative:

Dr. Vera Alexander, Dean
School of Fisheries and Ocean Sciences
University of Alaska
245 O'Neill Bldg.,
Fairbanks, AK 99775-7220
Telephone: (907) 474-6824
Fax: (907) 474-7204
Internet: vera@ims.alaska.edu

Description

A. Mission/Purpose:

The area which the activities of PICES concern is defined by the Convention as the temperate and sub-Arctic region of the North Pacific Ocean and its adjacent seas, especially northward from 30°North Latitude. Activities of the organization may, for scientific reasons, extend farther southward in the North Pacific Ocean.

The primary role of PICES is to promote and coordinate marine research undertaken by the Parties in the Convention Area; advance scientific knowledge about the ocean environment, global weather and climate change, living resources and their ecosystems, and the impacts of human activities; and promote the collection and rapid exchange of scientific information on these issues. PICES provides an international forum to promote greater understanding of the biological and oceanographic processes of the North Pacific Ocean and its role in global environment.

B. Organizational Structure:

PICES is comprised of (1) a Governing Council, (2) a Science Board (3) such permanent or ad hoc scientific groups and committees as the Governing Council may from time to time establish, and (4) a Secretariat. The Governing Council has both scientific and administrative functions.

Governing Council: The scientific functions of the Governing Council are to identify research priorities and problems pertaining to the Convention Area and appropriate methods for their solution; to recommend coordinated research programs and related activities pertaining to the Convention Area which shall be undertaken through the national efforts of the participating Contracting Parties; to promote and facilitate the exchange of scientific data, information and personnel; to consider requests to develop scientific advice pertaining to the Convention Area; to organize scientific symposia and other scientific events; and to foster the discussion of problems of mutual scientific interest.

The administrative functions of the Governing Council are to adopt and amend the Rules of Procedure and Financial Regulations; to consider and recommend amendments to the Convention; to adopt the annual report of the organization; to examine and adopt the annual budget and financial accounts of the organization; to determine

the location of the Secretariat; to appoint the Executive Secretary; to maintain contact with other international organizations; and to manage the activities of the organization.

Science Board: The Science Board oversees the activities of the four scientific committees, the technical committee, and the scientific program. Its membership includes an overall chairman, as well as the chairmen from each of the four scientific committees:

1) MEQ - Marine Environmental Quality
2) BIO - Biological Oceanography
3) FIS - Fisheries Science
4) POC - Physical Oceanography and Climate

Additionally, there is the Technical Committee on Data Exchange (TCODE)

Working Groups: Currently active PICES Working Groups are:

WG12-Crabs and Shrimps
WG13-Carbon Dioxide in the North Pacific
WG14-Effective sampling of micronekton to estimate ecosystem carrying capacity
WG15-Ecology of Harmful Algal Blooms in the North Pacific
WG16-Implications of Climate Change to Fisheries Management

Lastly, there is a scientific program titled "PICES-GLOBEC Climate Change and Carrying Capacity (CCCC) Program." This program is not a permanent PICES structure and is composed of members from all the scientific committees. Its role is to integrate the various disciplines of the science committees to address how climate change affects ecosystem structure and the productivity of key biological species at all trophic levels in the open ocean and coastal North Pacific ecosystems. The chairman of the CCCC program is not officially a member of the Science Board.

C. Recent Activities:

The PICES 10th Annual Meeting was held on October 7-17, 2001, in Victoria, British Columbia. Parties reviewed the decade of scientific progress and future collaborative work of the organization. Key issues of concern to the United States included the efficiency of the budget and the scientific effectiveness of the organization.

Budget: The Finance and Administration (F&A) Committee met three times during the week to review 2001spending and proposed 2002-2003 budgets. Both the Auditor's Report for CY 2001 and the budget for 2002 were accepted by F&A and the Governing Council.

Contracting Parties were asked to pay their annual dues by January 1 each year to help PICES avoid the loss of interest income. The proposed 2.8% increase in annual contributions for 2002, though approximately equal to the anticipated CPI of Canada, did not exceed the 3% cap Contracting Parties agreed to at the 9th Annual Meeting held in Hakodate in October 2000. Over the last 3 years, an average of CAN $50K has been transferred from the Working Capitol Fund (cash generated from accumulated excess of annual dues over expenditures in the General Fund) to the General Fund to accommodate needs. It was noted that the level of funds available in the Working Capital Fund may not allow such a transfer in the future.

Proposals to include items currently funded by voluntary contributions (e.g. PICES Intern Program) in the annual budget were not accepted. Growing demands on the Secretariat, especially the proposed production of the North Pacific Ecosystems Status Report, likewise generated discussion on the impact of PICES structure on the efficient management of research projects. To address the growing financial demands on PICES, the Governing Council approved a modest registration fee for future annual meetings that will apply to non-accredited delegates. In addition, there is an interest on the part of Mexico to join PICES, and a strong possibility that Mexico may join by late 2002. It is expected that Mexico's accession would result in an increase in the total budget. The Governing Council decided to eliminate the Fund Raising Committee and assign its work to the F&A Committee.

Scientific Program: The opening ceremony included an address by Canadian Ambassador of the Environment, the Hon. Gilbert Parent, and was followed by an address by Founding PICES Chair Dr. Warren S. Wooster. The first Wooster Award was awarded posthumously to Dr. Michael Mullin, a leading figure in the development of biological oceanography.

The focus of the scientific sessions held throughout the week was on reviewing PICES scientific productivity and examining the significance of the scientific effort to the original mandate of the organization. Approximately 470 marine scientists attended the sessions.

The production of the North Pacific Ecosystems Status Report generated discussion on the efficiency of PICES committees. The Governing Council agreed to review the current structure, especially the task forces developed through the Climate Change and Carrying Capacity Program, which have become cumbersome.

Dr. Ian Perry (Canada) was selected to succeed Dr. Patricia Livingston (United States) as the Chair of the Science Board for a term of 3 years.

In consideration of future trends as well as current gaps in North Pacific oceans science, the scientific committees determined the theme for the next annual meeting, PICES XI, to be "Technological Advancements in Marine Scientific Research." Based on this theme, the following topic sessions were selected:

- Food web dynamics in marginal seas
- Responses of upper trophic level predators to variability in prey availability
- Topographic influences on micronekton and interactions with higher trophic levels
- Physical forcing of walleye pollock life history and population structure
- Comparison of the productivity of marginal seas with emphasis on the Western Pacific
- Advances in harmful algal bloom monitoring and mitigation
- Effects of environmental changes on harmful algal bloom events
- Nature, detection and impact of regime shifts in physics and biology
- Poster session: Data systems to support technological advances in observing systems: GLOBEC and GLOBEC-like programs

In addition, two working groups were formed concerning the following: Biogeochemical Data Integration and Synthesis, and North Pacific Data Buoys. A third working group regarding Ecosystem Considerations in Fisheries Management may be proposed in 2002.

The 11th Annual Meeting will be held in Qingdao, China, from October 18-26, 2002, and the 12th Annual Meeting will be held in South Korea in October 2003. The United States was invited to consider hosting PICES XIII in October 2004, and to inform the Secretariat on this matter by the end of 2001. An interagency group will consider whether the United States would be in a position to extend such an invitation and identify funding sources if it is decided to host this meeting.

Staff Contacts

NOAA Fisheries (Headquarters):

Fred Beaudry
Office of Science and Technology (F/ST)
National Marine Fisheries Service, NOAA
1315 East-West Hwy
Silver Spring, MD 20910
Telephone: (301) 713-2288
Fax: (301) 713-4057

NOAA Fisheries (Field):

Dr. Richard Marasco
Alaska Fisheries Science Center (F/AKC)
National Marine Fisheries Service, NOAA
7600 Sand Point Way, NE
Seattle, WA 98115-6349
PH: (206)526-4172
FAX:(206)526-6723
Internet: Rich.Marasco@noaa.gov

Department of State:

Elizabeth Tirpak
Office of Ocean Affairs (OES/OA)
U.S. Department of State
2201 C Street, NW, Room 5801
Washington, D.C. 20520-7818
Telephone: (202) 647-0238
Fax: (202) 647-1106
E-mail: tirpakej@state.gov

ARCTIC OCEAN

Program for the Conservation of Arctic Flora and Fauna (CAFF)

Basic Instrument

The Program for the Conservation of Arctic Flora and Fauna was established to address the special needs of Arctic species and their habitats in the rapidly developing Arctic region. It forms one of four programs the Arctic Council created by the Declaration on the Establishment of the Arctic Council, signed September 19, 1996 in Ottawa, Canada. The Arctic Council succeeded the Arctic Environmental Protection Strategy (AEPS), adopted through a Ministerial Declaration at Rovianemi, Finland in 1991.

Implementing Legislation

None.

Member Nations

Canada, Denmark/Greenland, Finland, Iceland, Norway, Russia, Sweden, and the United States.

Organization Headquarters

The CAFF International Secretariat is located at Hafnarstraeti 97, 600 Akureyri, Iceland.

Executive Secretary: Snorri Baldursson
Telephone: 354 462 3350
Fax: 354 462 3390
E-mail: CAFF@ni.is
Web address: www.grida.no/caff

Budget

The cost of the Secretariat is borne largely by Iceland, the host country, supported by voluntary contributions from Member countries. The U.S. contribution is provided by the U.S. Fish and Wildlife Service (FWS), Alaska Region.

U.S. Representation

A. Appointment Process

The U.S. Department of State has designated the FWS as the lead Federal agency for CAFF. The FWS Alaska Region provides the U.S. National Representative to CAFF and leads the U.S. delegation to the biannual meetings of CAFF. Kenton Wohl is the present U.S. National Representative.

B. U.S. Delegates and Scientific Advisers

U.S. delegates and scientific advisors are provided to CAFF by the Department of State, FWS, the National Oceanic and Atmospheric Administration/National Marine Fisheries Service, Alaska Department of Fish and Game, and non-governmental organizations.

C. Interagency Arctic Policy Group (APG)

U.S. participation in CAFF is also informed and advised by the Interagency Arctic Policy Group convened on a monthly basis by the Department of State.

Description

A. Mission/Purpose:

CAFF's main goals are to:

(1) conserve Arctic flora and fauna, their diversity and their habitats; (2) protect the Arctic ecosystem from threats; (3) improve conservation and management, laws, regulations and practices for the Arctic; and (4) integrate Arctic interests into global conservation.

Its guiding principles are:

(1) the involvement of indigenous and local people and the use of traditional ecological knowledge; (2) the use of a broad, ecosystem-based approach to conservation and management; (3) cooperation with other conservation initiatives and the other Arctic Council programs (AMAP, the Arctic Monitoring and Assessment Program; PAME, the Program for the Protection of the Arctic Marine Environment; and EPPR, the Program for Emergency Prevention, Preparedness, and Response) to minimize duplication and to increase effectiveness; and (4) effective communication with respect to CAFF programs.

The CAFF program of work is guided by the "Strategic Plan for the Conservation of Arctic Biological Diversity"and undertakes five priority tasks identified by the Arctic Council. These are to:

1. prepare an overview report on status and trends in changes to Arctic ecosystems, habitats, and species;
2. assess, in collaboration with the Arctic Monitoring and Assessment Program (AMAP), he impacts of climate change on Arctic ecosystems;
3. identify elements of a program to monitor circumpolar biodiversity;
4. continue developing and coordinating implementation of the Circumpolar Protected Areas Network (CPAN) with focus on the marine environment;
5. continue coordinating implementation of the Murre and Eider conservation strategies and action plans.

B. Organizational Structure:

CAFF operates through a system of Designated Agencies and National Representatives responsible to CAFF and their respective countries. The National Representatives and Permanent Participants meet several times a year to guide the administration of CAFF work and to prepare CAFF reports to meeting of Senior Arctic Affairs Officials and Arctic Ministers under the AEPS. CAFF meets biannually to assess programs and to develop CAFF Work Plans. It is directed by a chair and vice-chair which rotate among the Arctic countries, and is supported by an International Secretariat.

Most of CAFF's work is carried out through a system of lead countries as a means of sharing the workload. Whenever possible, CAFF works in cooperation with other international organizations and associations to achieve common conservation goals in the Arctic.

As needed, CAFF also establishes Specialist and Expert Groups to address program areas.
CAFF has a Standing Committee on the Circumpolar Protected Area Network (CPAN); a Circumpolar Seabird Working Group; and an Ad Hoc Flora Group.

C. Recent Activities:

CAFF's overview report on Arctic conservation issues was completed and distributed in 2001. It contains chapters on : Ecology; Humans; Conservation; From Forest to Tundra; The Tundra and the Polar Desert; Rivers, Lakes and Wetlands; The Oceans and the Seas; Status and Trends in Species and Populations; and Conclusions.

CAFF has actively participated in the Assessment Steering Committee for the Arctic Climate Impact Assessment (ACIA) and assisted in the preparation of relevant ACIA documents submitted to the Arctic Council, including the ACIA Implementation Plan.

CAFF held a workshop in Reykjavik, Iceland, in February 2000, co-sponsored with AMAP, on identifying priority elements of a program to monitor circumpolar biodiversity. Based on the results of the workshop, CAFF has established, as the pilot phase of this monitoring initiative, nine voluntary expert monitoring networks on important elements of Arctic biota for which there are national and regional interests.

CAFF published a "Summary of Legal Instruments and National Frameworks for Arctic Marine Protection" as CAFF Habitat Report No. 8, which suggests that there is already sufficient legislation to protect the Arctic marine environment and conserve its biodiversity and habitats. However, a general conclusion from the report is that the legislation is not always implemented or its provisions adequately enforced. CAFF also published a "GAP Analysis for the Russian Arctic in Support of CPAN" (Habitat Conservation Report No. 9) providing in 22 maps a wealth of data that can be useful in assisting Russia in focusing its efforts to establish protected areas.

The CAFF Circumpolar Seabird Working Group (CSWG) met in Anchorage in January 2002. National implementation of the International Murre Conservation Strategy and Action Plan and the Circumpolar Eider Conservation Strategy and Action Plan is well underway. The report on "Seabird Harvest Regimes in the Circumpolar Nations", which summarizes current harvests of seabirds and impacts on their populations, was published as CAFF Technical Report No. 5.

Since 1998, CAFF has initiated two new projects. The CAFF chair, Russia and UNEP developed a proposal on "Integrated Ecosystem Approach to Conserve Biodiversity and Minimize Habitat Fragmentation in the Russian Arctic." The second project addresses an issue of high priority to indigenous people, the project on "Biological Significance of Sacred Sites of Indigenous Peoples in the Arctic: A Study in Northern Russia." Its objective is to enhance protection and management of sacred sites through linkage with biodiversity conservation efforts under CAFF/CPAN.

Progress involving Arctic flora includes the publication of the *Atlas of Rare Endemic Plants of the Arctic* (CAFF Technical Report No. 3), establishment of the Ad Hoc CAFF Flora Group, and the ongoing Circumpolar Arctic Vegetation Mapping Project (CAVM). This large scale project will provide a common legend and language for ecosystems of the Arctic region; the final circumpolar synthesis will be completed in 2002.

Focus on Protected Areas has increased significantly. Under U.S. lead, the newly formed CPAN Standing Committee has developed a discussion paper titled: *Advancing the Circumpolar Protected Areas Network (CPAN)* which raises seven priority goals for the network, including: 1) development of linkages for sharing CPAN information electronically; 2)

defining the structure and functioning of the standing committee; 3) addressing outstanding proposals related to sacred sites; 4) deciding whether to update the 1994 report *State of Protected Areas in the Circumpolar Arctic*; 5) further developing and updating the Pan Arctic Protected Area Registry; 6) continuing gap analysis; and 7) investigating ways to demonstrate the value of protected areas.

D. Future Activities

Future activities are grouped around the five objectives of the CAFF Strategic Plan:

Monitoring of Arctic Biodiversity

- continue the development and implementation of a comprehensive network to monitor biodiversity, focusing on key species and species-groups of ecological and economic value,
- play an integral role in the completion of the Arctic Climate Impact Assessment (ACIA),
- develop and implement monitoring activities in collaboration with AMAP, in support of ACIA and other assessments.

Species and Habitat Conservation

- support the further development of the flora group to address priority flora and vegetation issues and support ACIA, biodiversity monitoring and CPAN
- finalize the Circumpolar Arctic Vegetation Map
- continue coordinating the implementation of the murre and eider strategies,
- address the recommendations from CAFF's work on seabird bycatch and the conservation of migratory birds outside the Arctic.

Protected Areas

- continue coordinating the implementation of the CPAN with specific focus on the full range of values of Arctic protected areas
- consider marine protection in collaboration with the CAFF Working Group on the Protection of the Marine Environment (PAME)
- establish electronic linkages to facilitate communication among protected area manager
- integrate protection of indigenous sacred sites into CPAN.

Biodiversity Conservation Outside Protected Areas

- complete the project development phase of the GEF project on "An Integrated Ecosystem Approach to Conserve Biodiversity and Minimize Habitat Fragmentation in the Russian Arctic," including securing the necessary funds to complete the development phase and start the larger project.

Integration and Information Sharing

- prepare recommendations on the CAFF overview report on Arctic conservation issues
- use the report and recommendations to enhance awareness among the public and decision-makers about important Arctic biodiversity concerns.

E. Meetings

CAFF meets in plenary every two years. CAFF held its Eighth plenary meeting in Trondheim, Norway, on September 4-8, 2000. The Ninth plenary meeting of CAFF will be hosted in Abisko, Sweden, in September 2002.

The National Representatives to CAFF meet on an approximately every 6-month basis to address administrative and organizational matters. The meeting is referred to as a CAFF Management Meeting. The next CAFF Management meeting is in May, 2002, in Akureyri, Iceland.

The next meeting of the CAFF Circumpolar Protected Area Network (CPAN) Standing Committee is February 11-13, 2002, in Anchorage , Alaska to review the CPAN Charter, Strategy and Guidelines and assess the need for new CPAN projects, e.g. a project on the full values of protected areas and a compendium of marine protected areas.
The next two Senior Arctic Officials' meetings are May 15-16, 2002, in Oulu, Finland and October 7-8, 2002, in Inari, Saariselkä, Finland.

The Third Arctic Council Ministerial Meeting is October 9-10, 2002, in Inari, Saariselkä, Finland.

Staff Contacts

NOAA Fisheries:

Robin Tuttle
Office of Science and Technology (F/ST3)
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 12643
Silver Spring, MD 20910
Telephone: (301) 713-2282, ext. 199
Fax: (301) 713-4057

Suzannne Bolton
Office of Science and Technology (F/ST2)
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room
Silver Spring, MD 20910
Telephone: (301) 713-2367
Fax: (301) 713-1875

Department of State:

Sally Brandel
Office of Ocean Affairs (OES/OA)
U.S. Department of State
2201 C Street, NW, Room 5801
Washington, D.C. 20520
Telephone: (202) 647-3262
Fax: (202) 647-9099

Fish and Wildlife Service:

Kenton Wohl
Fish And Wildlife Service
1011 East Tudor Road
Anchorage, AK 99503
Telephone: (907) 786-3544
Fax: (907) 786-3640

GLOBAL

Global Environment Facility (GEF)

Basic Instrument

Instrument for the Establishment of the Restructured Global Environment Facility. The Instrument was approved by participating countries in March 1994.

Implementing Legislation

No new implementing legislation needed. U.S. participation in the GEF is dependent on contributions from the Treasury Department to the GEF Trust Fund, through annual appropriations.

Member Nations

As of January 2000, a total of 157 countries, including both recipient countries and donors such as the United States, were participants in the GEF.

Secretariat Headquarters

The GEF Secretariat
1818 H Street, NW
Washington D.C. 20433
Telephone: (202) 473-0508
Fax: (202) 522-3240 or 522-3245
Web Site: http://www.gefweb.org/

GEF Chief Executive Officer and Chairman: Mohamed T. El-Ashry

Budget

In 1998, 36 nations including the United States, pledged US$2.75 billion to the second replenishment of the restructured GEF (GEF-2; 1999-2002). The United States pledged the largest amount, $430 million to be contributed over several fiscal years. Current U.S. contributions to the GEF come from the Department of the Treasury. Contributions to the GEF are meant to be "new and additional," i.e., over-and-above existing official development assistance. Between 1991 and 1999, the GEF invested over $2.5 billion in environment projects. Replenishment negotiations for GEF-3 were scheduled to be completed in December 2001.

U.S. Representation

The Department of the Treasury has the lead for the U.S. Government. As of February 2001, U.S. representation by Treasury on the GEF Council, had not yet been identified by the G.W. Bush Administration. NOAA has consistently played an important advisory role at both the policy and project level. The NOAA International Liaison Staff has had the lead on GEF issues for NOAA.

Description

A. Mission/Purpose:

The GEF is the primary multilateral financial mechanism to protect the global environment through projects and programs in four focal areas: conserving biological diversity, mitigating climate change, reducing pollution of international waters, and phasing out the production and use of stratospheric ozone depleting substances (in countries not covered by the Montreal Protocol Fund). The GEF provides grants and concessional funding to recipient countries (developing countries and countries with economies in transition) to cover the incremental costs to achieve global environment benefits in the focal areas. The GEF operates the financial mechanisms for the U.N. Framework Convention on Climate Change and the Convention on Biological Diversity. GEF projects must be country driven, incorporate consultation with local communities and, where appropriate, involve non-governmental organizations in project implementation.

B. Organizational Structure:

The GEF is governed by a 32 member GEF Council representing constituencies of over 160 donor and recipient country governments. The GEF Council meets at least twice a year to review and approve the work programs, policies, and administration of the GEF. The United States has one of the seats on the Council. A universal GEF Assembly meets approximately every three years. The first meeting of the Assembly occurred in 1998.

GEF projects and programs are managed through three implementing agencies: the World Bank, the United Nations Development Programme (UNDP), and the United Nations Environment Programme (UNEP). The World Bank and UNDP manage the lion's share of the projects. The GEF Secretariat, which is functionally independent from the three implementing agencies, reports to and services the Council and Assembly of the GEF. A Scientific and Technical Advisory Panel, convened by UNEP, provides advice on technical issues at the request of the Council and manages a roster of experts that provides technical reviews of individual projects.

C. Programs:

The GEF was created as a multilateral mechanism to fund the incremental costs of achieving global environmental benefits in developing countries and countries with economies in transition. In particular, it was designed to fund agreements expected to be achieved at the 1992 U.N. Conference on Environment and Development in Rio de Janeiro, Brazil. It began as a three-year pilot-phase Facility in 1991. During the Pilot Phase, the United States did not contribute directly to the GEF core fund, but instead pledged and funded $150 million in "parallel-financed" GEF projects funded and managed by the U.S. Agency for International Development.

The Facility was restructured and replenished with over US$2 billion in 1994 (GEF-1), to cover the agreed incremental costs of activities that benefit the global environment in four focal areas: climate change; biological diversity; international waters; and stratospheric ozone. Both the Framework Convention on Climate Change and the Convention on Biological Diversity have designated the GEF as their funding mechanism on an interim basis. The second replenishment (GEF-2) was completed in early 1998.

Countries may be eligible for GEF funds in one of two ways: (1) if they are eligible for financial assistance through the financial mechanism of either the Framework Convention on Climate Change or the Convention on Biological Diversity; or (2) if they are eligible to borrow from the World Bank or receive technical assistance grants from UNDP through a Country Program. A country must be a party to the Climate Change Convention or the Convention of

Biological Diversity to receive funds from the GEF in those focal areas. GEF projects must be country driven, incorporate consultation with local communities and, where appropriate, involve non-governmental organizations in project implementation.

To date, the GEF has approved proposals more than 700 projects in 125 countries, totaling over $2.5 billion in GEF financing. Between 1991 and 1999, GEF allocated $991 million in grants and mobilized and additional $1.5 billion in co-financing (from recipient countries, bilateral agencies, other development institutions, the private sector, and nongovernmental organizations) for biological diversity projects. During the same period GEF allocated $884 million to 227 climate change projects and enabling activities, which was matched by more than $4.7 billion in co-financing; and nearly $360 million to international waters initiatives.

Marine Issues: Marine projects of interest to NMFS may be funded under either the biodiversity focal area or the international waters focal area. Coastal, marine, and freshwater ecosystems represent one of four operational programs in the biodiversity focal area. The objective of the program is the conservation and sustainable use of biological resources in these ecosystems. The GEF has recently funded several World bank projects in developing countries specifically related to marine fisheries, and will play a key role in the World Bank's Sustainable Fisheries Forum. The GEF is showing increasing flexibility and breaking new ground both in types of projects and as a coordination mechanism among U.N., bilateral, and multilateral development bank assistance mechanisms. NOAA has only begun to utilize the many opportunities for collaboration and leverage that the GEF provides.

Staff Contacts

NOAA Fisheries:

Dr. Thomas Hourigan
Office of Protected Resources (F/PR)
Biodiversity Coordinator
NMFS/NOAA
1315 East-West Highway, Room 13806
Silver Spring, MD 20910
Telephone: (301) 713-2319
Fax: (301) 713-0376
E-mail: Tom.Hourigan@noaa.gov

NOAA:

Susan Ware-Harris
Office of International Affairs
NOAA
14th & Constitution Ave
Washington, DC 20230
Telephone: (202) 482-6196
Fax: (202) 482-4307

Department of the Treasury:

Helen Walsh
Office of Multilateral Development Banks
Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220
Telephone: (202) 622-1229
E-mail: Helen.Walsh@treas.sprint.com

International Council for the Exploration of the Sea (ICES)

Basic Instrument

The Council was established by an exchange of letters on July 22, 1902, in Copenhagen, Denmark, with eight country representatives in attendance (Denmark, Germany, Norway, Russia, Finland, the Netherlands, Sweden, and the United Kingdom of Great Britain). The United States joined the Council on July 22, 1912. From 1902 until 1964, the Council operated in a kind of "gentlemen's agreement" fashion. Then, on September 12, 1964, the Council membership concluded the Convention for the International Council for the Exploration of the Sea, 1964 (TIAS 7628), giving it true and full international status. The Convention fixed the seat of the Council at Copenhagen and, by the end of 1967, all Contracting Parties had ratified the Convention, which came into force on July 22, 1968.

Member Nations

Belgium, Canada, Denmark, Estonia, Finland, France, Germany, Iceland, Ireland, Latvia, Netherlands, Norway, Poland, Portugal, Russia, Spain, Sweden, United Kingdom of Great Britain, and the United States of America.

Council Headquarters

International Council for the Exploration of the Sea
Palaegade 2-4 DK-1261
Copenhagen K, Denmark

General Secretary: Mr. David de G. Griffith
Telephone: (45) 33 154225, 33 157092 (General Secretary)
Fax: (45) 33 934215
E-mail: david@ices.dk
Web address: http://www.ices.dk/

Budget

The ICES annual budget is approximately $3.5 million. The U.S. contribution paid by the Department of State for the year 2002 was $124,083.58.

U.S. Representation

A. Process:

NMFS, through NOAA and DOC, and the National Science Foundation provide the Department of State with recommendations for the U.S. representatives (delegates and advisors) to the annual meeting.

B. U.S. Representation:

Both U.S./ICES Delegates participated in the 2001 Annual Science Conference/89th Statutory Meeting, held in Oslo, Norway, on September 23-October 3 (the Annual Science Conference was held on September 26-29 only). They are:

Dr. Michael R. Reeve
Investigative Section Head
Ocean Sciences Division, Rm 725
National Science Foundation
4201 Wilson Boulevard
Arlington, VA 22230
Telephone: (703) 292-7707
E-mail: mreeve@nsf.gov

Dr. Michael P. Sissenwine
Science and Research Director
Northeast Fisheries Science Center (F/NEC)
NMFS/NOAA
166 Water Street
Woods Hole, MA 02543-1026
Telephone: (508) 495-2233
E-mail: michael.sissenwine@noaa.gov

C. Committees and Working Groups:

U.S. representation in ICES has no formal (legislated) advisory structure. During 2001-2002, the United States has 2 members on each of the 7 scientific committees (Oceanography, Marine Habitat, Living Resources, Resource Management, Fisheries Technology, Mariculture, Baltic), 1member on each of the 3 advisory committees (Fisheries Management, Marine Environment, Ecosystems), 2 members on the Consultative Committee (Chairmen of the Mariculture and Baltic Committees), and a number of members on more than 60 working/study/planning groups.

Description

A. Mission/Purpose:

ICES is the oldest intergovernmental organization in the world concerned with marine and fishery science. It is the premier body for giving advice, on the international level, on scientific and policy matters relating to fisheries, pollution, ecosystems, and other marine environmental issues, as well as a scientific forum for the exchange of information and ideas on the sea and its living resources, and for the promotion and coordination of research.

The fundamental purposes of ICES outlined in the ICES Convention are: to promote and encourage research and investigation for the study of the sea particularly related to the living resources thereof; to draw up programs required for this purpose and to organize, in agreement with the Contracting Parties, such research and investigations as may appear necessary; and, to publish or otherwise disseminate the results of research and investigations carried out under its auspices or to encourage the publication thereof.

The ICES mission is to advance the scientific capacity to give advice on human activities affecting, and affected by, marine ecosystems. The mission calls for: effective arrangements to provide scientific advice; informing interested parties and the public objectively and effectively about marine ecosystem issues; coordinating and enhancing physical, chemical, biological, and interdisciplinary research; partnerships with other organizations that share a common interest; developing and maintaining accessible marine data bases.

B. Organizational Structure:

The Council, the ultimate governing body, consists of the President, who presides at all meetings of the Council and the Bureau, and two Delegates from each participating country. The Bureau, the executive body of the Council, meets intersessionally and consists of the President, a First Vice President and five Vice Presidents elected from the delegates, each for a 3-year term. On completion of his term of office a member of the Bureau is not eligible for re-election to the same office for the succeeding term.

ICES does most of its work through three Advisory Committees (Fishery Management, Marine Environment, Ecosystems) and seven Standing Committees (Oceanography, Marine Habitat, Living Resources, Resource Management,

Fisheries Technology, Mariculture, Baltic). The chairmen of these Committees constitute the Consultative Committee, whose chairman is elected by the committee, but not necessarily from its members. Responsibility for oversight of the production of scientific advice rests with the Management Committee for the Advisory Process which assigns advisory tasks to the three advisory committees.

The chief executive officer of the Council is the General Secretary, who is responsible to the Bureau for the management of the Council's staff and office. He is appointed by the Council on the advice of the Bureau.

Recent Activities

The 2001 Annual Science Conference (ASC) and 89th Statutory Meeting of ICES were held in Oslo, Norway, on September 23-October 3, 2001. There were approximately 500 registered participants at the Annual Science Conference (September 26-29).

Highlights of the 2001 ASC:

1. Crown Prince Haakon of Norway opened the meetings and welcomed delegates and scientific participants to Norway.

2. The opening lecture was given by Ambassador Thorvald Stoltenberg of Norway. His theme was "Our common future: a political perspective on the oceans and related issues."

3. There were two invited lectures: "Ecosystem studies and fisheries management: the Bengula experience" by Coleen Moloney of South Africa; and "Fisheries management from an ecosystem perspective: how can we get there from here" by Stephen Hall of Australia.

4. There were 12 theme session topics during the Annual Science Conference, including: "The life history, dynamics, and exploitation of living marine resources: advances in knowledge and methodology," "The response of Cephalopod populations and fisheries to changing environments and ecosystems," "Ecosystem changes in the Baltic," "Application of mark-recapture experiments to stock assessments," and "Use and information content of ecosystem metrics and reference points."

5. After 3 years of preparation, a Strategic Plan for ICES was adopted by the delegates. The plan is based on the theme of ICES being built on two pillars: scientific information and scientific advice. In this regard, ICES is unique as an independent (relative to resource and ecosystem management mandates) scientific organization dedicated to advancing the scientific capability to give advice, with "customers that fund ICES for the preparation of advice. Customer "pull" assures that ICES scientific programs are relevant. Independence allows ICES to make long term strategic investments in research, and it enhances the credibility scientific advisor.

6. ICES continues to struggle with its budget as a result of pressures to give more scientific advice, and more comprehensive advice on ecosystem issues. Also, increases in national contributions to ICES have been limited to the rate of inflation in Denmark, whereas the actual increase in the cost for staff (which is most of the budget) is greater than the rate of inflation because of longevity related increases compensation built into the UN pay system (which ICES uses). This year, ICES had to decide between two options: increase national contributions by about twice the rate of inflation, or to use some of the interest income ICES receives on its working funds and its cash reserve to pay some running expenses. It decided on the latter. However, this is only a short term solution. In the future, either national contributions must be increased at a rate greater than inflation, customers of ICES's advice must pay more, or staff must be reduced.

7. Peru joined Australia, New Zealand, South Africa, Chile and Greece as an observer member of ICES. Recent interest in ICES by countries from outside of the North Atlantic is a tribute to the quality and relevance of scientific program of ICES.

8. Mr. Ichiro Nomura, Assistant Director General for Fisheries, FAO addressed the Council. He was invited by ICES in an effort to enhance cooperation between ICES and FAO. Discussions with Mr. Nomura were very positive.

9. The Rules of Procedure were updated to reflect several organizational changes in recent years. These were primarily "housekeeping" changes.

Leadership

A U.S. scientist, Dr. Michael Sissenwine is First Vice President (by tradition, President-Elect). Other U.S. scientists chair two committees, the Mariculture Committee and the Baltic Committee, and several working/study groups.
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Future Meetings

1. The next Annual Science Conference will be held on October 1-5, 2002, in Copenhagen, Denmark; the Statutory Meeting of ICES will follow through September 9. This will be the Centennial celebration of ICES. There will be a Centennial Day on October 4 with participation of the royal family of Denmark. The Government of Denmark also anticipates negotiating a high level political declaration of support for international cooperation in marine research, to be adopted at the Centennial day event. A scholarly history of ICES, accepted for publication by the University of Washington Press, will also be distributed at the Centennial celebration.

2. ICES plans to hold 96 group meetings at different locations in Europe and North America before the 2002 Annual Science Conference (scientific working, planning, and study groups and workshops) , and 11 groups will work by correspondence.

3. The 2003 and 2004 ASCs and Statutory Meetings will be held in Tallin, Estonia, and Vigo, Spain, respectively.

4. Upcoming symposia include:

(A) Acoustics in fisheries and aquatic ecology, June 10-14, 2002, Montpellier, France
(B) Role of zooplankton in global ecosystem dynamics: comparative studies from world oceans, Spring 2003, in Europe
(C) Precautionary approach to fisheries management - lessons learned and future directions, September 2004, Valparaiso, Chile
(D) Influence of climate change on North Atlantic fisheries, 2004, Bergen, Norway

Staff Contacts

NOAA Fisheries: E-mail: helen.mustafa@noaa.gov

Helen Mustafa, US/ICES Coordinator
Northeast Fisheries Science Center (F/NEC)
National Marine Fisheries Service, NOAA
166 Water Street
Woods Hole, MA 02543-1026
Telephone: (508) 495-2244

Joint FAO/WHO International Codex Alimentarius Food Standards Program

Basic Instrument

The Codex Food Standards Program was established in 1962 when FAO and WHO recognized the need for international standards to protect the health of consumers and facilitate trade among member nations. The Codex Alimentarius Commission (CAC) is charged with developing food standards for adoption and use by member countries. These international food standards are contained in 14 volumes that have been adopted by the CAC. The purpose of these standards is to protect the health of consumers and facilitate fair practices in food trade. These texts are in the form of Specific Food Standards, Codes of Practice and Recommendations. The CAC includes provisions for food hygiene, food additives, pesticide residues, contaminants, labeling and presentation and methods of analysis and sampling.

Member Nations

Albania, Algeria, Angola, Antigua, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Barbuda, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Democratic Republic of Congo, Republic of Costa Rica, Cote D'IVOIRE, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritania, Mauritius, Mexico, Micronesia Federated States, Moldova, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Sultanate of, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovak Republic, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syria, Tanzania, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Vanuatu, Venezuela, Vietnam, Yemen, Zambia, and Zimbabwe.

Non-member Country

Bahamas

Commission Headquarters

Secretariat of the Joint FAO/WHO Food Standards Program
Food and Agriculture Organization of the United Nations
Viale delle Terme di Caracalla
00100 Rome, Italy
Telephone: (39-6) 52251
Fax: (39-6) 52253152/5225493
Telex: 610181FAO1
E-Mail: Codex @ FAO.ORG
WEB Site: www.fao.org/waicent/faoinfo/economic/esn/CODEX

Budget

The total budget for the Codex Program is $5.7KK. Seventy-five percent is contributed from FAO and 25% is contributed from WHO.

Organizational Structure

The Program is operated by an International Commission through an Executive Committee and has various subsidiary bodies. Subsidiary bodies or Committees are both vertical and horizontal--or cross-cutting in nature.
For example, specific food commodity committees such as the Codex Committee on Fish and Fishery Products (CCFFP) would be an example of a vertical committee. The Codex Committee on Food Hygiene (CCFH), which must address the hygienic considerations in all of the outputs of the Codex Alimentarius Program is an example of a horizontal or cross-cutting Committee. Additionally, there are regional Committees that are also cross-cutting in nature which address special needs of specific geographical regions. In addition to member nations, Codex relies on scientific support from three prestigious committees sponsored by other specific United Nations programs. These are the Joint Expert Committee on Food Additives, the Joint Meeting on Pesticide Residues, and the International Consultative Group on Food Irradiation. A fourth expert committee is currently being formed to pass expert judgement on microbiological risk assessments which are offered to the Codex Committee on Food Hygiene. Each member country maintains a country contact point.

U.S. Representation

There are currently 22 different commodity and subject matter committees within Codex. The U.S. delegate is nominated by the U.S. Codex Office and affirmed by the Interagency Codex Policy Steering Committee, chaired by the USDA Undersecretary for Food Safety. The Steering Committee consists of: the U.S. Manager for Codex; and administrative appointed senior level policy personnel being the Deputy Commissioner for Policy, Food and Drug Administration; the Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, U.S. Environmental Protection Agency; the Assistant Secretary, Marketing and Regulatory Programs, Department of Agriculture; the Undersecretary of Farm and Foreign Agricultural Services, Department of Agriculture; the Special Assistant to the Secretary, Department of Agriculture; the Assistant Administrator for Fisheries, National Marine Fisheries Service; Special Trade Ambassador for Agriculture, Office of the U.S. Trade Representative; the Director of the Office of Agricultural and Textile Trade, Department of State; the Undersecretary, Food, Nutrition and Consumer Services, Department of Agriculture; the Undersecretary of Research, Education, and Economics, Department of Agriculture; and the Vice Chairman, Codex Alimentarius Commission. There is also an interagency technical committee for U.S.A. Codex consisting of career senior level SES executives. The Director of NMFS/Office of Sustainable Fisheries serves on this interagency technical committee. U.S.A. delegates to the Committee meetings are led by the U.S.A. Delegate and are comprised of other governmental and NGO advisors which include academia, industry, state government officials, trade associations, consumer organizations, etc.

Programs

The output products of the Codex Alimentarius Food Standards Program generally relate to four specific areas, for example, (1) the development of General Principles to be followed in the international trade of food commodities, (2) specific Codex Commodity Standards for individual food commodities, or processing requirements, (3) the establishment of Codex Guidelines for specific actions or procedures, and (4) recommended Codes of Hygienic Practice which are similar to our GMP concepts that are to be followed when producing and/or manufacturing specific food commodities. A country's adherence to these Codex outputs provides the country a "safe harborage" in the settlement of GATT disputes by WTO. The Codex Program provides a forum for the world's leading experts to discuss, debate, and reach a scientific

consensus on the food safety issues that affect international trade. Further, governmental participation allows access to the world's most current and complete body of scientific food safety information. Without a doubt, Codex has upgraded global food manufacturing practices which have dramatically resulted in improved global consumer protection. Such improvements lessen expensive regulatory efforts for importing countries during a time of shrinking resources. The United States has benefitted substantially from its participation in Codex. Action of the Codex Alimentarius Program can greatly influence world regulatory food control activities since Codex work products represent a consensus of opinion on regulatory issues by the more than 140 member countries that in turn represent more than 97 percent of world's population.

Recent Activities

Since Codex was established in 1962, its commodity committees have published more than 200 commodity standards, including those for various types of processed fruits and vegetables; meat and fish products; cereals, pulses, and legumes; fats and oils; milk and milk products; soups and broths; and foods for special dietary uses. In addition to Codex standards, there are more than 35 Guidelines and Codes of Practice for food production and processing which have been prepared by the general subject committees. Historically, the U.S.A. has a low rate of acceptance of Codex Standards. To date the United States has accepted 981 pesticide standards and it has taken a position on about 70 commodity standards accepting most with specified deviations. The low rate of acceptances of Codex standards is generally not a result of specific health concerns, but rather due to the current regulatory workload's forcing regulatory agencies to give Codex a reduced priority. This low priority is changing as a result of the increasing recognition in U.S. agencies on the role Codex can play in mitigating WTO disputes.

Codex has recently standardized the Hazard Analysis Critical Control Point (HACCP) Food Inspection Program. Likewise it has enumerated the General Principles and Guidelines for the Conduct of Microbiological Risk Assessments as well as for the Application of Microbiological Criteria for Foods. It has developed numerous Standards and Codes of Practice for various fishery products and other foodstuffs.

The current "hot" topics being debated by the Codex include defining Acceptable Levels of Protection (ALOP) and Food Safety Objectives (FSO); procedures for judgement of equivalency of control measures for food safety and possible Technical Barriers to Trade (TBT); regulatory approaches among and between different country food inspection and certification systems; the use of "precautionary approaches" in Risk Management decision making; providing for General Principles and Guidelines for use in conducting Microbiological Risk Management; and the labeling of biotech-derived foods. All of these issues have, or will have, relevance to similar fishery management debates, (although in a different context and domain) expected to be carried out by ICCAT and other regional fishery bodies.

Staff Contacts

NOAA Fisheries:

E. Spencer Garrett
Director, National Seafood Inspection Laboratory
National Marine Fisheries Service, NOAA
705 Convent Street
Pascagoula, MS 39567
Telephone: (228) 769-8964
Fax: (228) 762-7144
E-mail: spencer.garrett@noaa.gov

Department of Agriculture

Patrick Clerkin
Associate U.S. Manager for Codex
U.S. Department of Agriculture
4861 South Building
14th Street and Independence, SW
Washington, D.C. 20250
Telephone: (202) 205-7760
Fax: (202) 720-3157
E-mail: patrick.clerkin@usda.gov

PART IV. OTHER INTERNATIONAL ARRANGEMENTS OF INTEREST

Asia Pacific Economic Cooperation (APEC)

APEC was established in 1989 to promote open trade and economic cooperation among economies around the Pacific Rim, and, under APEC, the Fisheries Working Group (FWG) was formed in 1991. The FWG meets annually, and deliberates on a broad range of living marine resource issues and specific project proposals. The 21 APEC Economies are invited to these FWG meetings. In recent years, the FWG has concentrated in the areas of management; trade and marketing; seafood inspection training; aquaculture; and various environmental issues.
The 13th meeting of the FWG will take place May 13-178, 2002, in Lima, Peru.

Web address: http://www.apecsec.org.sg/

Asia-Pacific Fishery Commission (APFIC)

APFIC was organized in 1948 as the Indo-Pacific Fisheries Council (later, Commission), an FAO regional fishery body. It was redesignated as the Asia-Pacific Fishery Commission in 1993. The functions of the Commission are to promote full and proper utilization of the living aquatic resources of the Asia-Pacific area through the development and management of fishing and aquaculture operations and the development of related processing and marketing activities in conformity with the objectives of its members. It has no regulatory powers.

APFIC operates through an Executive Committee and two subsidiary committees. The Executive Committee consists of a Chairperson, Vice-Chairperson, preceding retired Chairperson, and two members elected by the Commission. Subsidiary committees consist of the Aquaculture and Inland Fisheries Committee and the Committee on Marine Fisheries. There is no standing scientific committee, but the Commission can establish temporary, special, or standing committees and working parties to study and make recommendations on specific technical problems.

The Commission meets at least once every two years unless otherwise called by a majority of the Members. Each member has one vote and decisions are made by simple majority.

The Commission held its 27th Session on September 9-21, 2001, in Manila, Philippines. An official report of the session can be found at ftp://ftp.fao.org/fi/document/apfic/apfic27report.pdf. The 28th Session of APFIC will be held in Thailand in 2003.

The APFIC Members are Australia, Bangladesh, Cambodia, China, France, India, Indonesia, Japan, Korea, Malaysia, Myanmar, Nepal, New Zealand, Pakistan, Philippines, Sri Lanka, Thailand, United Kingdom, the United States, and Viet Nam.

Secretariat:

FAO Regional Office for Asia and the Pacific
39 Phra Atit Road, Bangkok 10200, Thailand
Telephone: +66 2 281 7844
Fax: +66 2 280 0445
Web address: http://www.fao.org/fi/body/body.asp

Association of Official Analytical Chemists (AOAC) International

AOAC was founded in 1884 as the Association of Official Agricultural Chemists, under the auspices of the U.S. Department of Agriculture (USDA), to adopt uniform methods of analysis for fertilizers. In the 21st Century AOAC INTERNATIONAL is committed to be a proactive, worldwide provider and facilitator in the development, use, and harmonization of validated analytical methods and laboratory quality assurance programs and services. Also, to serve as the primary resource for timely knowledge exchange, networking, and high-quality laboratory information for its members. To meet these goals, AOAC is focusing very closely on streamlining its methods review process and providing new methods in areas of increasing international interest, such as genetically modified organisms (GMOs) and nutriceuticals. The explosion of international accreditation as a requirement for participation in the global marketplace has given AOAC INTERNATIONAL an opportunity to seize a leadership role in developing criteria for laboratory accreditation.

Commission for Environmental Cooperation (CEC)

The signing of the North American Free Trade Act (NAFTA) in 1993 created the world's largest trading bloc. At the same time, the NAFTA partners (Canada, Mexico, and the United States) sought to build environmental safeguards into the trade liberalization pact and signed the North American Agreement on the Environmental Cooperation, creating the North American Commission for Environmental Cooperation (CEC). The CEC funds projects in four major areas: 1) Trade and the Environment; 2) Conservation of Biodiversity; 3) Pollutants and Health; and 4) Law and Policy. Projects focus on the protection of the North American environment, and therefore trilateral environmental problems, issues and cooperation are given priority in funding. The CEC biodiversity work program is increasingly addressing the marine environment.

The 9th Regular Session of the CEC Council will be held on June 18-19, 2002, in Ottawa, Ontario, Canada.

Headquarters

Commission for Environmental Cooperation
393, rue St-Jacques Ouest
Bureau 200
Montréal (Québec)
H2Y 1N9 Canada
Telephone: (514) 350-4300
Fax: (514) 350-4314
E-mail: info@ccemtl.org
Web address: http://www.cec.org/english/index.cfm

Commission for Sustainable Development (CSD)

The CSD was established as a functional commission of the UN Economic and Social Council by Council decision 1993/207. Its functions are set out in General Assembly resolution 47/191 of December 22, 1992. The Commission is composed of 53 members elected for terms of office of 3 years.

One of the main purposes of the Commission is to review progress at the international, regional, and national levels in the implementation of recommendations and commitments contained in the final documents of the 1992 United Nations Conference on Environment and Development (UNCED), namely Agenda 21; the Rio Declaration on Environment and Development; and the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests (also known as the Forest Principles).

The CSD holds meetings annually in New York and reviews documents and resolutions that address, inter alia, various global fishery issues in light of the charges in the 1992 Rio declarations. It provides a convenient barometer for gauging opinions in the United Nations on global fishery and living marine resource issues. While the 8th Session of the CSD, held in April 2000, did not focus on fisheries or marine issues, the open-ended informal consultative process on Ocean Affairs, formed under the CSD, held an international panel discussion on Illegal, Unregulated and Unreported Fisheries on May 30-June 2, 2000.

Web address: http://www.un.org/esa/sustdev/csd.htm

Convention on the Conservation and Management of Fishery Resources in the Southeast Atlantic Ocean (SEAFO)

A Convention to establish a new regional fisheries conservation and management organization for the Southeast Atlantic Ocean, the Southeast Atlantic Fisheries Organization (SEAFO), has been negotiated. When it comes into force, SEAFO will manage fishery resources on the high seas of the Southeast Atlantic Ocean, but not those under national jurisdiction, nor highly migratory species. The text of the convention was adopted in November 2000 and signed on April 20, 2001, in Windhoek, Namibia.

Web addrress: http://www.fao.org/fi/body/rfb/SEAFO/seafo_home.htm

Coral Disease and Health Consortium (CDHC)

The National Oceanic Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA), and the Department of Interior (DOI) developed the framework for the CDHC for the United States Coral Reef Task Force through an interagency effort in March 2000. The Coral Reef Task Force was established by Executive Order in June 1998 (Executive Order 13089 on the Protection of Coral Reefs) to help preserve and protect the biodiversity, health, heritage, and social and economic value of U.S. coral reef ecosystems. The purpose of the CDHC is to organize and coordinate the scientific resources of the United States and its territories to document the condition of coral reef ecosystems, determine causes of declines in coral reef health, and provide technical information and assistance to managers and scientists regarding coral reef health. These objectives will be achieved by integrating three functional disciplines, specifically Clinical Pathology, Health Assessment, and Risk Assessment and Management. Development of

the CDHC framework already has fostered national and international partnerships in coral disease research, education, and outreach activities. For example, NOAA has developed waterproof coral disease identification cards for improved disease monitoring. NOAA has also partnered with the World Conservation Monitoring Center to create the first global coral disease database. In addition, a new video production will highlight examples of coral bleaching and disease, research on the effects of stress on corals, and standardization of histological methodologies. The CDHC aims to significantly enhance current assessments of coral ecosystem health, improve the effectiveness of management decisions by providing early warning of disease and disease outbreaks, identify putative causative factors and possible prevention and mitigation strategies, and offer managers viable risk management options. The NMFS Office of Protected Resources is focused on coral disease epizootiology (distribution, abundance and impacts of diseases and bleaching), effects of diseases and bleaching on Candidate Species for the ESA, and management of coral diseases.

Website address: (if available) www.coralreef.gov

Fishery Committee for the Eastern Central Atlantic (CECAF)

CECAF is the FAO regional fishery body for the Eastern Central Atlantic. It is organized to promote programs of development for the rational utilization of fishery resources; assist in establishing bases for regulatory measures; and encourage training. It operates through a Main Committee and a Scientific Subcommittee. The Scientific Subcommittee exists to provide scientific advice to the Committee.

The CECAF Members are Benin, Cameroon, Cape Verde, Congo (Democratic Republic of), Congo (Republic of), Côte d'Ivoire, Cuba, Equatorial Guinea, European Community, France, Gabon, Gambia, Ghana, Greece, Guinea, Guinea-Bissau, Italy, Japan, Korea, Liberia, Mauritania, Morocco, Netherlands, Nigeria, Norway, Poland, Romania, Sao Tome and Principe, Senegal, Sierra Leone, Spain, Togo, and the United States.

Secretariat:

FAO Regional Office for Africa
P.O. box 1628
Accra, Ghana
Telephone: +233 21 675 000/675051-060/701 0930
Fax: +233 21 668 427/701 0943
Web address: http://www.fao.org/fi/

Food and Agriculture Organization of the United Nations (FAO) Committee on Fisheries (COFI)

The Food and Agriculture Organization (FAO) was founded in October 1945 with a mandate to raise levels of nutrition and standards of living, to improve agricultural productivity, and to better the condition of rural populations. It is the largest autonomous agency within the United Nations system, with 183 Member Nations plus the EC (Member Organization) and approximately 1,400 professional staff.

The Organization offers direct development assistance, collects, analyses, and disseminates information, provides policy and planning advice to governments and acts as an international forum for debate on food and agriculture issues. FAO is active in land and water development, plant and animal production, forestry, fisheries, economic and social policy, investment, nutrition, food standards and commodities and trade. It also plays a major role in dealing with food and agricultural emergencies. A specific priority of the Organization is encouraging sustainable agriculture and rural development, a long-term strategy for the conservation and management of natural resources. It aims to meet the needs of both present and future generations through programs that do not degrade the environment and are technically appropriate, economically viable, and socially acceptable.

FAO is governed by the Conference of Member Nations, which meets every two years to review the work carried out by the organization and approve a Program of Work and Budget for the next biennium. The Conference elects a Council of 49 Member Nations to act as an interim governing body. Members serve 3-year, rotating terms.
The current Director-General, Jacques Diouf, began a second 6-year term in January 2000.

The Organization's work falls into two categories. The Regular Program covers internal operations, including the maintenance of staff who provide support for field work, advise governments on policy and planning and service a wide range of development needs. It is financed by Member Nations, who contribute according to levels set by the Conference. The Field Program implements FAO's development strategies and provides assistance to governments and rural communities. Projects are usually undertaken in cooperation with national governments and other agencies. More than 60 percent of Field Program finances come from national trust funds and 22 percent is provided by the United Nations Development Program. FAO contributes about 16 percent--drawn from the Regular Program budget--through its Technical Cooperation Program (TCP).

The Organization's 2002-2003 biennial budget is projected at $678,839,000 million, with an estimated $553,100,000 additionally available in extra-budgetary and trust funds. An estimated $29,111,000 has been budgeted in 2002-2003 for FAO’s Fisheries Department.

Committee on Fisheries

The Committee on Fisheries (COFI), a subsidiary body of the FAO Council, was established by the FAO Conference at its 13th Session in 1965. The Committee presently constitutes the only global intergovernmental forum where major international fisheries and aquaculture problems and issues are examined and recommendations addressed to governments, regional fishery bodies, NGOs, fishworkers, FAO and the international community, periodically on a world-wide basis. COFI has also been used as a forum in which global agreements and non-binding instruments were negotiated.

COFI membership is open to any FAO Member and non-Member eligible to be an observer of the Organization. Representatives of the UN, UN bodies and specialized agencies, regional fishery bodies, international and international non-governmental organizations participate in the debate, but without the right to vote.

The two main functions of COFI are to review the programs of work of FAO in the field of fisheries and aquaculture and their implementation, and to conduct periodic general reviews of fishery and aquaculture problems of an international character and appraise such problems and their possible solutions with a view to concerted action by nations, by FAO, intergovernmental bodies and the civil society. The Committee also reviews specific matters relating to fisheries and aquaculture referred to it by the Council or the Director-General of FAO, or placed by the Committee on its agenda at the request of Members, or the United Nations General Assembly. In its work, the Committee supplements rather than supplants other organizations working in the field of fisheries and aquaculture.

COFI is empowered to establish subcommittees on specific issues. These subsidiary bodies meet in the intersessional period of the parent Committee. COFI has a Sub-Committee on Fish Trade and a newly established Sub-Committee on Aquaculture, and is advised by the FAO Advisory Committee on Fishery Research. The next meeting of the Sub-Committee on Trade is scheduled for February 12-16, 2002, in Bremen, Germany. The first meeting of the Sub-Committee on Aquaculture is scheduled for April 18-22, 2002, in Beijing, China.

The Twenty-fourth meeting of COFI was held in Rome in February 2001. The major decisions of the meeting were:

Marine Mammals/Fisheries: The Committee agreed that studies on the relationship between marine mammals and fisheries and reviews by FAO should be conducted to encompass these characteristics between marine mammals and fisheries.

Eco-labeling: The Committee agreed that the Secretariat should continue to monitor developments in eco-labeling and inform the membership through relevant technical publications, in order to develop criteria to guide Member countries.

Catch Certification: It was agreed that the agenda for the Eighth Session of the COFI Sub-Committee on Fish Trade [February 2002] should also include an item on the feasibility and practicality of harmonizing catch certification used by some regional fishery management bodies. It was pointed out that with the aim to prepare suitable recommendations to the Sub-Committee this issue should be considered by an expert consultation in conjunction with the regional fishery bodies concerned and taking into account the objectives of these certification schemes.

Aquaculture: The Committee recommended the establishment of the Sub-Committee on Aquaculture. The Committee unanimously agreed with the recommendation of the Expert Consultation on the proposed COFI Sub-Committee on Aquaculture that the priority areas to be addressed by the Sub-Committee should include aquaculture statistics, implementation of the Code of Conduct for Responsible Fisheries, environmental aspects of aquaculture development, regional cooperation, aquaculture management, aquaculture and coastal zone management, and national and regional aquaculture capacity building.

CITES: The Committee endorsed the recommendation of the Technical Consultation [on the Suitability of the CITES Criteria for Listing Commercially-exploited Aquatic Species, June 2000] that FAO should establish a process to consider the problems and potential solutions in relation to listing fishery resources under Article II, especially including the implications of the "look alike" provisions (paragraph 26) and the precautionary approach (Annex 4 of CITES resolution 9.24). It agreed to that the follow-up on these matters should be dealt with by the COFI Sub-Committee on Fish Trade under the title "Developing a work plan for exploring CITES issues with respect to international trade."

The Committee agreed on the following process regarding FAO input to CITES on the listing criteria, subject to the availability of extra-budgetary funds to cover the costs. It was designed to meet the requirements of the CITES timetable while still allowing time for FAO members to participate as fully as possible in the process.

(i) The FAO Secretariat would prepare a background paper detailing as required the analysis of the CITES listing criteria focusing on Appendix II, and proposing a scientific framework for evaluating the status of species for such listing.

(ii) This background paper would be considered by a technical consultation which would be held before November 2001, possibly in September. Namibia offered to host this consultation and to coordinate local arrangements but extra-budgetary funding would be necessary in order to prepare a background paper; to facilitate participation at the meeting; and to ensure translation of the documents. The Technical Consultation would formulate a proposal to be sent to CITES on the revision of the criteria as well as on the process of revision and listing. This proposal would be formally considered at the Eighth Session of the COFI Sub-Committee on Fish Trade to be held in February

2002. Because of time constraint, the conclusions of the Technical Consultation would be sent to the CITES Secretariat on an informal basis in time for the Chairs of the CITES Plants and Animals Committees to prepare their report for the CITES Standing Committee.

(iii) The proposals of the Technical Consultation would be considered and endorsed or amended as necessary at the COFI Sub-Committee on Fish Trade and its decisions formally conveyed to CITES by the FAO Secretariat.

The Committee agreed that if the CITES Listing Technical Consultation could not be arranged for financial or technical reasons or because agreement could not be achieved at the Technical Consultation, the report of the Technical Consultation of June 2000 should be sent to CITES as the formal FAO input to their review process.

Status and trends: The Committee agreed that reporting on status and trends had shortcomings which required attention. The Committee recommended that a technical consultation be called by FAO to consider how fishery status and trends reporting could be improved effectively, including the possible development of an International Plan of Action. The technical consultation should consider data and information collection and analysis and needs at the national, regional and global levels. Particular attention should be given to developing countries for capacity building. The proposal elaborated should be presented to the Committee at its Twenty-Fifth Session.

Subsidies: The Committee agreed that future work on subsidies should build on past efforts and work towards determining the quantitative and qualitative effects of subsidies on trade in fish and fishery products and sustainability of fishery resources where the study of the trade aspect should be of a technical nature and be closely coordinated with the World Trade Organization (WTO) as the competent body for trade discipline.

It was further agreed that work on this topic be closely coordinated with, and complementary to, the work being carried out by other relevant intergovernmental organizations and recommended that FAO, as a global multi-disciplinary organization, should take a lead role in the promotion of such cooperation and in the coordination of work on fisheries subsidies and the relationship with responsible fisheries.

The Committee agreed that a second Expert Consultation be organized by FAO but that substantial preparatory work, including an inventory of currently available and ongoing efforts, should first be carried out by the Secretariat. The Committee urged that the Consultation be comprised of a wider range of experts, having relevant practical and multi disciplinary experience in fisheries management and trade issues. In addition, it should reflect a regional and topical balance of the issues to be considered. It was agreed that governments should be consulted in the selection of experts. The Secretariat informed the Committee that resources required for holding the second Expert Consultation were not available in the current budget. Resources might be available in the 2002-2003 budget but the Secretariat would not know until November 2001, hence the Secretariat suggested that extra-budgetary funds might be needed for the purpose of a second Expert Consultation.

It was agreed that the Subsidies Expert Consultation be followed by a Government Technical Consultation on the issue, in part as a means of quickly disseminating information on the matter both to Members and to other intergovernmental organizations.

IPOA-IUU: The Committee approved, by consensus, the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unregulated and Unreported Fishing, as modified by the results of the informal, open-ended "Friends of the Chair" meetings. The Committee urged all Members to take the necessary steps to effectively implement the IPOA-IUU.

Given the importance of IUU fishing and the need to address it, it was agreed that the issue and the IPOA be further considered at the Twenty-fifth Session of COFI. Of particular interest to Members at the next Session of COFI would be the progress achieved in implementing the IPOA-IUU.

Marine Turtles: It was generally agreed that the holding of an international technical meeting on marine turtles could be useful even if there was no agreement on the specific scope of the meeting. There was general agreement that an international plan of action on marine turtles not be considered at this time.

Next Meeting;: It was agreed that the Committee should meet in Rome in the Spring of 2003. In the interim, FAO will be hosting a number of technical and expert consultations to advance major global fisheries issues. These include consultations on the reduction of fishing capacity and improvements in fisheries status and trends reporting.

Staff Contacts

NOAA Fisheries:

Robin Tuttle
Office of Science and Technology (ST3)
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 12643
Silver Spring, Maryland 20910
Telephone: (301) 713-2282 (x-199)

FAO:

Benedict P. Satia, Ph.D.
Chief, FIPL and Secretary of COFI
Telephone: 39 06 57052847
Fax: 39 06 57056500
E-mail: benedict.satia@fao.org
Web address: http://www.fao.org/

Global Ocean Ecosystem Dynamics (GLOBEC)

GLOBEC (Global Ocean Ecosystem Dynamics) was initiated by SCOR and the IOC of UNESCO in 1991 in response to the recommendations of a joint workshop which identified a need to understand how global change will affect the abundance, diversity and productivity of marine populations comprising a major component of oceanic ecosystems. GLOBEC is primarily focused on zooplankton, the assemblage of herbivorous grazers on the phytoplankton, and the primary carnivores that prey on them. Both groups are the most important prey for larval and juvenile fish.

The aim of GLOBEC is to advance understanding of the structure and functioning of the global ocean ecosystem, its major subsystems, and its response to physical forcing so that a capability can be developed to forecast the responses of the marine ecosystem to global change. GLOBEC has four primary objectives: (1) to better understand how multiscale physical environmental processes force large-scale changes in marine ecosystems; (2) to determine the relationships between structure and dynamics in a variety of oceanic systems which typify significant components of the global ocean ecosystem, with emphasis on trophodynamic pathways, their variability and the role of nutrition quality in the food web; (3) to determine the impacts of global change on stock dynamics using coupled physical, biological and chemical models linked to appropriate observation systems and to develop the capability to predict future impacts; and (4) to determine how changing marine ecosystems will affect the global earth system by identifying and quantifying feedback mechanisms.

GLOBEC consists of four cross cutting research foci, four regional programmes, and national program activities.

Web address: http://www.pml.ac.uk/globec/

Global Ocean Observing System (GOOS)

GOOS is an internationally coordinated system for systematic operational data collection (measurements), data analysis, exchange of data and data products, and technology development and transfer. The objective of GOOS is to ensure the establishment of a permanent system of global and systematic observations adequate for forecasting climate variability and change; for assessing the health or the state of the marine environment and its resources, including the coastal zone; and for supporting an improved decision-making and management process, which takes into account potential natural and man-made changes in the environment and their effects on human health and marine resources. GOOS is coordinated by the Intergovernmental Oceanographic Commission (IOC) headquartered in Paris, France. Four GOOS design panels (Coastal, Living Marine Resources, Health of the Oceans, and Climate) are in the process of identifying the observations and resources required to meet GOOS objectives.

Web address: http://ioc.unesco.org/goos/goos.htm

Gulf of Maine Council (GOMC)

The GOMC was established in the late 1980's and consists of the states and provinces bordering the Gulf of Maine. The Council's primary goals are to restore shellfish habitat, promote restoration of fishery resources, address ecosystem and public health effects of toxics in the marine food chain, protect and restore regionally significant coastal habitats, and reduce marine debris and prevent whale entanglements. Federal partners from both the United States and Canada are traditional, long-standing non-voting members on the GOMC. The NOAA Fisheries representative is the Northeast Regional Administrator.

Council Coordinator:

Gulf of Maine Council
c/o NH DES
P.O. Box 95
Concord, NH 03302-0095
Telephone: (603) 225-5544
Fax: (603) 225-5582
Web address: http://www.gulfofmaine.org/index.html

Indian Ocean Tuna Commission (IOTC)

The Agreement for the Establishment of the IOTC was approved at the 27th Session of the FAO Conference and adopted by the Council at its 105th Session in November 1993. The Agreement entered into force with receipt of the 10th instrument of acceptance on March 27, 1996. The aim of the IOTC is to promote cooperation among its members with a view to ensuring, through appropriate management, the conservation and optimum utilization of fish stocks covered by the Agreement and to encourage sustainable development of fisheries based on such stocks.

The main functions of the IOTC are, among other things: (a) to review the conditions and trends of the stocks and to gather, analyze, and disseminate scientific information, catch and effort statistics, and other relevant data; (b) to encourage, recommend, and coordinate research and development activities in respect of the stocks and fisheries covered by the Agreement; and (c) to keep under review the economic and social aspects of the fisheries based on the stocks covered by the Agreement. In order to achieve these ends, the Commission may, by a two-thirds majority, adopt, on the basis of scientific evidence, conservation and management measures to ensure the conservation and optimum utilization of the stocks covered by the Agreement.

The Commission is the main decision-making body and is composed of all Members. There is also a Scientific Committee which advises the Commission (and any sub-commissions which may be established) on research and data collection, status of stocks, and management issues. Four Working Parties--Data Collection and Statistics, Tropical Tunas, Neritic Tunas and Billfishes, and Temperate Tunas--report to the Scientific Committee

The members are Australia, Eritrea, European Community, France, India, Japan, Republic of Korea, Madagascar, Mauritius, Pakistan, Seychelles, Sri Lanka, Sudan, Thailand, and the United Kingdom.

Secretariat:

IOTC Secretariat
P.O. Box 1011 Victoria
Mahe, Seychelles
Telephone: +248 22 54 94
Fax: +248 22 43 64
Web address: http://www.seychelles.net/iotc

Intergovernmental Panel on Climate Change (IPCC)

The IPCC was established by the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP) in 1988 to provide an authoritative statement of scientific opinion on climate change. Several hundred scientific experts serve on three Working Groups and a Task Force. Their work has been broadly peer-reviewed and subjected to full governmental reviews. Working Group I deals with the science of climate change. Working Group II deals with impacts and response strategies. Working Group III deals with broad socioeconomic issues, such as the costs and benefits of global mitigation efforts in energy, forestry and agriculture. The Task Force on National Greenhouse Gas Inventories oversees the National Greenhouse Gas Inventories Programme. The IPCC does not carry out new research, nor does it monitor climate-related data. It bases its assessment mainly on published and peer-reviewed scientific technical literature.

All of the significant fisheries materials are included in the 1995 Working Group II reports. The National Marine Fisheries Service (NMFS) Office of Science and Technology had significant roles in Working Group II, including the designation as Co-Convening Lead Author for the Polar Regions report, which was completed and published as a special areas report of the IPCC. The current IPCC effort is being developed as a regional assessment. NMFS was a reviewer of the regional sections to ensure that fishery interests were adequately addressed for each region.

Secretariat:

IPCC Secretariat
C/O World Meteorological Organization
7bis Avenue de la Paix
C.P. 2300
CH- 1211 Geneva 2, Switzerland
Telephone: +41-22-730-8208
Fax: +41-22-730-8025
Web address: http://www.ipcc.ch/

International Oceanographic Commission (IOC)

The Intergovernmental Oceanographic Commission (IOC) of UNESCO was founded in 1960. The work of the IOC has focused on promoting marine scientific investigations and related ocean services, with a view to learning more about the nature and resources of the oceans. The IOC focuses on four major themes: (1) develop, promote and facilitate international oceanographic research programs to improve understanding of critical global and regional ocean processes and their relationship to the sustainable development and stewardship of ocean resources; (2) ensure effective planning, establishment and coordination of an operational global ocean observing system to provide the information needed for oceanic and atmospheric forecasting, for oceans and coastal zone management by coastal nations, and for global environmental change research; (3) provide international leadership for education and training program and technical assistance essential for systematic observations of the global ocean and its coastal zone and related research; and (4) ensure that ocean data and information obtained through research, observation and monitoring are efficiently handled and made widely available.

The United States is supporting the Ocean Science in Relation to Living Resources (OSLR) program of the IOC, which includes support for the Global Ecosystem Dynamics (GLOBEC) and Small Pelagic Fishes and Climate Change (SPACC) programs, Large Marine Ecosystems (LMEs), Harmful Algal Blooms (HAB), the Global Coral Reef Monitoring Network (GCRMN), and the Living Marine Resources Module of the Global Ocean Observing System (LMR GOOS). The (GLOBEC) Science Plan has been finalized and an implementation plan is beinig developed.

Secretariat:

Intergovernmental Oceanographic Commission of UNESCO
1, rue Miollis
75732 Paris Cedex 15
FRANCE
Fax: (33) [1] 45 68 58 12
Web address: http://ioc.unesco.org/iocweb/

IOC Sub-Commission for the Caribbean and Adjacent Regions (IOCARIBE)

IOCARIBE is a Sub-Commission of the Intergovernmental Oceanographic Commission (IOC) of UNESCO. It is the first of its kind and was established on the basis of very promising experiences gained from previous cooperative programs in the Caribbean and Adjacent Regions. The aim of IOCARIBE is the same as that of the IOC--to promote marine scientific investigations and technology and related ocean services with a view to learning more about the nature and resources of the oceans through the concerted action of IOCARIBE Members States.

IOCARIBE Members are Antigua and Barbuda, Bahamas, Barbados, Belize, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, France (French Guiana, Grenada, Guadeloupe, Martinique, St Barthelemy, and St. Martin), Guatemala, Guyana, Haiti, Honduras, Jamacia, Mexico, the Netherlands (Aruba), Netherlands Antilles (Bonaire, Curacao, Saba, Sint Eustatius, and Sint Maarten), Nicaragua, Panama, Russia, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Surinam, Trinidad and Tobago, United Kingdom (Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Montserrat, Turks & Caicos), United States (Puerto Rico and U.S. Virgin Islands), and Venezuela.

Web address: http://ioc.unesco.org/iocaribe/What_is%20IOCARIBE.htm

Contacts

NOAA Fisheries:

NMFS Southeast Fisheries Science Center
75 Virginia Beach Dr.
Miami, FL 33149-1003
Telephone: (3050 361-4270

IOCARIBE Regional Secretariat:

IOCARIBE
A.A.. 1108
Cartagena de Indias
Colombia
Telephone: (575) 664 6399
Fax: (575) 660 0407

International Queen Conch Conference

Since 1996, countries in the Wider Caribbean have been meeting to discuss issues of queen conch (*Strombus gigas)* science and management. This informal international effort is being coordinated by the Caribbean Fishery Management Council, which forms a practical bridge between the United States and countries in Latin America and the Caribbean. At its most recent meeting, discussion was largely driven by the large amount of illegal, unreported, undocumented fishing in the region. Strategies adopted by the group to address this problem and provide coordinated management for the resource included:

- convening of a stock assessment workshop in 2002, one of the goals of which will be establishing an adequate protocol for data collection and anaylsis;

- strengthening the ways in which the Convention on International Trade in Endangered Species (CITES) can ensure that trade in this listed species is sustainable;
- presentation of information on the management of queen conch to Ministers at the CARICOM Council for Trade and Economic Development;
- considering the proposal of the government of the Dominican Republic for the establishment of an Inter-American Convention for the Management and Conservation of *Strombus gigas*; and
- seeking assistance ato establish better enforcement systems and tools, such as Vessel Monitoring Systems (VMS).

Website address: http://www.strombusgigas.com

NOAA Fisheries Contact:

Nancy K. Daves
Office of Protected Resources (F/PR)
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2319
Fax: (301) 713-0376

Large Marine Ecosystems (LMEs)

NOAA, in partnership and with support from the Global Environment Facility (GEF), UN agencies (United Nations Food and Agricultural Organization, United Nations Environmental Program, United Nations Development Program, United Nations Industrial Development Organization,, United Nations Educational and Scientific Organization and the Intergovernmental Oceanographic Commission), the World Bank, and the IUCN-The World Conservation Union, is assisting numerous countries bordering several LMEs to develop programs for the sustainable, ecosystem-based management of their marine areas. These comprehensive programs will provide the information necessary for these countries to make decisions regarding the status and management of their marine resources. In some cases (e.g, the Guinea Current LME and Benguela Current LME), the countries bordering the LME have made inter-ministerial commitments to assess and manage their marine areas from an LME perspective.

In addition to the United States, LME participating countries include China, Korea, Bangladesh, India, Indonesia, Malaysia, Myanmar, Maldives, Sri Lanka, Thailand, Cambodia, Philippines, Vietnam, Korea, Madagascar, Mozambique, South Africa, Angola, Namibia, Cape Verde, Gambia, Guinea, Guinea Bissau, Mauritania, Morocco, Senegal, Angola, Benin, Cameroon, Congo, Dem. Repub. of the Congo, Equatorial Guinea, Gabon, Ghana, Cote d'Ivoire, Liberia, Nigeria, Sao Tome and Principe, Sierra Leone, Togo, Bahamas, Barbados, Belize, Brazil, Colombia, Costa Rica, Cuba, Jamaica, Mexico, Panama, St. Lucia, Trinidad and Tobago, Venezuela, Chile, Peru, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Russia, Sweden, Latvia, Lithuania, Poland, Russia, and Sweden.

Web address: http://www.edc.uri.edu/lme/

Staff Contact:

NOAA Fisheries:

Dr. Kenneth Sherman
Northeast Fisheries Science Center - Narragansett Laboratory
National Marine Fisheries Service
28 Tarzwell Drive
Narragansett, RI 02882-1199
Telephone: (401) 782-3210
Fax: (401) 782-3201

Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats Of the Indian Ocean and South-East Asia (concluded under the auspices of the Convention on Migratory Species)

The Memorandum of Understanding (MOU) on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia was completed on June 23, 2001, in Manila, Philippines. The MOU is the second of its kind to be concluded under the auspices of the Convention on Migratory Species. It puts in place a framework through which States of the region--as well as other concerned States--can work together to conserve and replenish depleted marine turtle populations for which they share responsibility. It acknowledges a wide range of

threats to marine turtles, including habitat destruction, direct harvesting and trade, fisheries bycatch, pollution and other man-induced sources of mortality. The MOU recognizes the need to address these problems in the context of the socio-economic development of the States concerned, and to take account of other relevant instruments and organizations.

The MOU has a potential membership of at least 40 countries, covering the entire Indian Ocean and Southeast Asia. Activities may also be coordinated through subregional mechanisms in South-East Asia, as well as in the northern, western, and southwestern Indian Ocean. The signatory States (Australia, Comoros, Iran, Myanmar, Philippines, Sri Lanka, Tanzania, United States, and Vietnam, so far) are expected to hold their first formal meeting in the second quarter of 2002. The Conservation and Management Plan, containing 24 programs and 105 specific activities, aims to reverse the decline of marine turtle populations throughout the region. The measures to be taken focus on reducing threats, conserving critical habitat, exchanging scientific data, increasing public awareness and participation, promoting regional cooperation, and seeking resources for implementation.

A small secretariat and an advisory committee will be established to help implement the MOU's provisions. Voluntary contributions will be secured to guarantee that this essential coordination function is provided at the initial critical stage of the Memorandum's existence.

Web address: http://www.wcmc.org.uk/cms/IOSEAturtle_more.htm

Contact:

NOAA Fisheries:

Office of Protected Resources (F/PR)
National Marine Fisheries Service
1315 East-West Highway

Silver Spring, MD 20910
Telephone: (301) 713-2332
Fax: (301) 713-0376

Multilateral High-level Conference on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific (MHLC)

On September 4, 2000, the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (attached)was adopted, following seven negotiating sessions spanning 5 years. The Convention was adopted by 19 states voting in favor[1]; Japan and Korea voting against; and China, France, and Tonga abstaining. We hope that those states that abstained or even voted against will eventually accept the Convention. The Pacific island states control access to the fishing grounds where the majority of the catches occur. These states provide access to their exclusive economic zones through agreements with distant water fishing states.

The Convention will establish a Commission to conserve and manage tuna and tuna-like species in the vast area of the western and central Pacific west of 150° meridian of west longitude, a resource estimated to have an annual value of $1.5-2 billion. For many of the Pacific Island nations, these fish stocks are the only significant renewable natural resource and a key to their economic development aspirations. The United States has been cooperating with them since 1985 under the South Pacific Tuna Treaty; the new Convention will serve to apply the same rules our fishermen have been following to all distant water and coastal states in the region. These include carrying observers, a vessel monitoring system, restrictions on transhipment, and catch and fishing effort reporting. The new Convention is fully consistent with the 1995 United Nations Fish Stocks Agreement and other recent global fisheries agreements.

The Convention will enter into force after ratification by three states situated north of 20° north latitude (primarily the distant water fishing states) and by seven states south of 20° north latitude (primarily the Pacific island states). In the meantime, a Preparatory Conference will design the internal rules and procedures for adoption by the eventual Commission. The first meeting of the Preparatory Conference occurred in Christchurch New Zealand in April 2001 and the second session was held in Madang, Papua New Guinea in February 2002 (http://www.pngconvention.com). Working groups were convened on development of administrative and procedural matters, the provision of scientific advice both before and after entry into force of the Convention, and monitoring-control-surveillance. Matters relevant to the Convention, the Commission, and the activities of the Preparatory Conference can be found at http://www.ocean-affairs.com. Considerable work must be done within NOAA Fisheries in the next 2-5 years to become prepared to implement U.S. scientific, management, and enforcement obligations under the new Convention.

Staff Contact:

NOAA Fisheries Headquarters:

Dean Swanson
Chief, International Fisheries Division (F/SF4)

Office of Sustainable Fisheries
National Marine Fisheries Service, NOAA
1315 East-West Highway, Room 13117
Silver Spring, MD 20910

[1] Australia, Canada, Cook Islands, Federated States of Micronesia, Fiji, Indonesia, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Tuvalu, United States, and Vanuatu.

Telephone: (301) 713-2276
Fax: (301) 713-2313

Southwest Region

Raymond Clarke
Pacific Island Area Office
1601 Kapiolani Boulevard, Room 1110
Honolulu, HI 96814-4700
Telephone: (808) 973-2937
Fax: (808) 973-2941

Department of State

William Gibbons-Fly, Deputy Director
Office of Marine Conservation (OES/OMC)
U.S. Department of State
2201 C. Street, NW
Washington, D.C. 20520-7818
Telephone: (202) 647-2335
Fax: (202) 736-7350

National Standards Foundation (NSF) International

The NSF, the largest non-profit health organization in the world, develops a variety of food safety and other types of standards for equipment. NMFS National Seafood Inspection Laboratory personnel currently serve on the organization's Council of Public Health Consultants.

Web address: http://www.nsf.org

North Pacific Interim Scientific Committee for Tuna and Tuna-like Species (ISC)

The ISC was formed by the United States and Japan in January 1995 as a first step toward creating a fishery management and conservation organization for North Pacific pelagic fish stocks. The purposes of ISC are to (1) enhance scientific research and cooperation for conservation and rational utilization of the species of tuna and tuna-like fisheries which inhabit the North Pacific Ocean during all or part of their life cycle; and (2) establish the scientific groundwork, so at some future time a multilateral regime for the conservation and rational utilization of the region's pelagic fish stocks may be created. Membership in the ISC is open to all coastal States of the region, as well as States whose vessels fish for tuna or tuna-like species in the region. Canada, China, Taiwan (Chinese Taipei), Japan, Korea, Mexico, the United States, and several regional organizations have participated in past meetings.

On a practical level, the ISC regularly assesses and analyzes fishery and other information, prepares reports, formulates research proposals, and to the extent possible, coordinates international and national research programs on the relevant species. Four Working Groups have been established by the ISC: (1) the Swordfish Working Group, (2) Bluefin Tuna Working Group, (3) Bigeye Tuna Working Group, and (4) the Statistics Working Group. The meetings also consider species of special concern, including yellowfin tuna, marlins, and northern albacore tuna.

The third meeting of the ISC was held in Nagasaki, Japan, on January 22-30, 2002. The participants discussed the current status of tuna resources and management options. They agreed that all stock levels are relatively stable, with little or no sign of decrease. All participants were asked to improve data collection in order to better evaluate the resource. The ISC also proposed the organization of a working group to develop the method for statistical analyses of bluefin resources, the identification of swordfish migration patterns and stock structure, the development of a new resource assessment model, and the addition of skipjack resources as the subject for study by the ISC and consolidation of the skipjack resource database.

NOAA Fisheries Contact:

Dr. Michael Tillman, Director
Southwest Fisheries Science Center
National Marine Fisheries Service, NOAA
8604 La Jolla Shores Dr.
La Jolla, CA 92038-0271
Telephone: (858) 546-7067
Fax: (858) 546-5655

Office International des Epizooties (OIE)

The OIE is the WHO's Programme for animal health and is the second of three international health organizations that promulgate standards, which when conformed with, can provide a legal safe harborage in cases of WTO trade disputes. The OIE was established in 1924, and by March of 2001 consisted of 157 member countries. The mission of the OIE is to inform governments of the occurrence and course of animal diseases globally, and the methods which can be implemented to control such diseases. The organization also coordinates international studies for surveillance and control of animal diseases and harmonizes regulations for trade in animals and animal products among member countries.

The Fish Diseases Commission is one of four OIE Specialist Commissions. The role of Specialist Commissions is to study specific problems relating to the epidemiology and control of certain diseases or groups of diseases. The Fish Diseases Commission was created in 1960. One of the reasons for establishing the Fish Diseases Commission was the increasing awareness of the importance of international trade in fish and other aquatic animals, which in recent years has grown considerably.

Web address: http://www.oie.int/

Headquarters:

Office International des Epizooties
12, rue de Prony, 75017 Paris, France
Telephone: 33 – (0)1 44 15 18 88
Fax: 33 – (0)1 42 67 09 87
Email: oie@oie.int

Organization for Economic Cooperation and Development (OECD)

OECD is a Paris-based international organization that provides a forum for consultations on a wide range of economic issues among developed countries. The OECD Committee for Fisheries meets twice annually (in the spring and fall) and occasionally holds ad hoc technical meetings.

The Committee for Fisheries monitors, on an ongoing basis, fisheries policy developments in member countries. This involves a survey of developments in the fisheries sector and the results are published every two years in the OECD Review of Fisheries. OECD countries report on regulatory initiatives and related policy developments and the survey seeks to assess policy impacts on fisheries resources and markets. The Review of Fisheries is complemented by key statistics on landings, trade, quota allocations, financial transfers, the fishing fleet and employment in OECD and selected non-OECD countries, which are disseminated every year.

In recent years, the OECD Committee for Fisheries has emphasized management-related studies. It completed in spring 2000 a multifaceted studies program that focused on the transition to sustainable fisheries, using a case study approach. To assist the Committee in the completion of these studies, NMFS provided four papers and submissions on (1) the economic costs and benefits; (2) social implications; (3) the role of post-harvest practices; and (4) the effects of government financial transfers, all relating to the transition to responsible fisheries. The last case study, which deals with the role of government financial transfers, turned out to be the most difficult and controversial, in large part because its central theme has obvious implications for the negotiation of an agreement on fishery subsidies.

For the years 2000-2002, the Committee for Fisheries embarked on a forward-looking and ambitious program of work. Three main themes will be analyzed: (1) fisheries management costs; (2) market liberalization; and (3) fisheries sustainability indicators. The next meeting of the OECD Committee for Fisheries will take place on March 18-20, 2002, where it is hoped that the current studies will be finalized and discussions will begin on the next work program.

Web address: http://www.oecd.org/

Contacts:

NOAA Fisheries:

Linda Chaves
Constituent and Outreach Services Division
Office of Constituent Services
National Marine Fisheries Service, NOAA
1315 East West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2379
Fax: (301) 713-2384

OECD Headquarters:

Fisheries Division
OECD
2, rue André Pascal
F-75775 Paris Cedex 16
France
Fax: (33-1) 44 30 61 21

Protocol for Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region to the Convention for the Protection and Development of the Marine Environment

of the Wider Caribbean Region (Cartagena Convention)

SPAW was adopted in Kingston, Jamaica, by the member governments of the United Nations Environment Programme (UNEP) Caribbean Environment Programme on January 18, 1990. It entered into force on June 18, 2000, after ratification by its ninth Contracting Party. It is one of three Protocols to the Cartegena Convention--the other two deal with cooperation to combat oil spills, adopted in 1983, and land-based marine pollution, adopted in 1999. The SPAW Protocol preceded other international environmental agreements in utilizing an ecosystem approach to conservation. It acts as a vehicle to assist with regional implementation of the broader and more demanding global Convention on Biological Diversity (CBD).

The Cartagena Convention is the only legally binding environmental treaty for the wider Caribbean area. The Convention and its Protocols constitute a legal commitment by the participating governments to protect, develop and manage their common waters individually or jointly. UNEP provides the secretariat in Kingston for the Convention and its Protocols.

The stated objectives of the SPAW program are:

- To significantly increase the number of and improve the management of national protected areas and species in the region, including the development of biosphere reserves, where appropriate;

- To develop a strong regional capability for the coordination of information exchange, training and technical assistance in support of national biodiversity conservation efforts;

- To develop specific regional, as well as national management plans developed for endangered, threatened or vulnerable species such as sea turtles, the West Indian manatee, black coral and migratory birds;

- To coordinate the development and implementation of the Regional Program for Specially Protected Areas and Wildlife in the Wider Caribbean, in keeping with the mandate of the SPAW Protocol;

- To coordinate activities with the Secretariat of the Convention on Biological Diversity, as well as other biodiversity-related treaties, such as the CITES, Ramsar, Bonn, and Western Hemisphere Conventions.

The Parties to the SPAW Protocol are Colombia, Cuba, Dominican Republic, Netherlands, Panama, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, and Venezuela. The United States signed the Protocol on January 19, 1990, but has not yet ratified it.

Website address: http://www.cep.unep.org/programmes/spaw/spaw.html

Contacts

NOAA Fisheries Contact: Fax: (301) 713-0376

Nancy K. Daves
Office of Protected Resources (F/PR)
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2319

SPAW Contact:

UNEP -- Caribbean Environment Programme
Regional Coordinating Unit
14 - 20 Port Royal Street
Kingston, Jamaica, WI
Telephone: 876 922 - 9267
Fax: 876 922 - 9292
Email: uneprcuja@cwjamaica.com

Standing Committee on Tuna and Billfish (SCTB) of the Secretariat of the Pacific Community (SPC)

The SCTB was established in 1988, as an advisory body to the Tuna and Billfish Assessment Programme, (the predecessor to the SPC's Oceanic Fisheries Program-OFP) to serve as a scientific forum for primarily reviewing and promoting the OFP's work program by invited experts. In 1998, the SCTB's charter underwent a significant change and with different focus. It broadened participation to "scientists and others with an interest in the tuna fisheries of the western and central Pacific Ocean." It adopted five objectives: "(1) coordinate fisheries data collection, compilation and dissemination according to agreed principles and procedures; (2) review research on the biology, ecology, environment and fisheries for tunas and associated species in the western and central Pacific Ocean; (3) identify research needs and provide a means of coordination, including the fostering of collaborative research, to most efficiently and effectively meet those needs; (4) review information pertaining to the status of stocks of tunas and associated species in the western and central Pacific Ocean, and to produce statements on stock status where appropriate; and (5) provide opinion on various scientific issues related to data, research and stock assessment of western and central Pacific Ocean tuna fisheries."

The SCTB meets annually, usually in June or July. The 2002 meeting will be in Honolulu, Hawaii, on July 18-26, and will be hosted by the Pelagic Fisheries Research Program of the University of Hawaii's Joint Institute for Marine and Atmospheric Research.
Web address: http://www.spc.org.nc/OceanFish/

United Nations (UN) Atlas of the Oceans Agreement

The UN Oceans Atlas will be CD-ROM and Internet-based, containing information relevant to sustainable development of the oceans and to the advancement of ocean science. It is designed for use by policy makers needing to become familiar with ocean issues and by scientists and resource managers needing access to underlying data bases and approaches to sustainability. The Atlas will include: (1) background on the oceans--from how they were formed, to their physiology, biology, and climatology; (2) uses of the oceans--from food to shipping, mining, energy, etc.; and (3) ocean issues, such as sustainability, food security, global change, and pollution. The Project has been funded by the UN Foundation. Six UN agencies (e.g., UNEP, WMO, IOC) have committed fiscal resources to the project. FAO will conduct the project on behalf of the UN because of their expertise in building atlases in support of global decision making and research. Dr. John Everett (formerly of NMFS) is coordinating NOAA involvement. Under an expiring

secondary agreement, Dr. Everett is also the Atlas Project Manager for the UN, working from NOAA offices in Silver Spring, and FAO Headquarters in Rome, Italy. He is coordinating the development of materials by a dozen UN agencies and several collaborating nations and contractors, through to production of the Atlas product. OAR/OGP, OAR/SG, NESDIS, SDIA and NMFS have shared the direct costs of Dr. Everett's involvement as Project Manager.

Website address: www.oceansatlas.com

NOAA Fisheries Contact:

Research Analysis and Coordination Division
Office of Science and Technology
National Marine Fisheries Service, NOAA
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2363
Fax: (301) 713-1875

United Nations General Assembly (UNGA)

The United Nations General Assembly (UNGA) was not known as a forum for the discussion of fisheries issues through most of its history, but this changed in the 1990s when it took up the problem of large-scale, pelagic driftnet fishing on the high seas. UNGA Resolution 44/225, adopted in 1990, called for a moratorium on the use of this fishing gear on the high seas by June 30, 1992. This Resolution was supplanted by UNGA Resolution 46/215, which delayed the effective date of the moratorium until December 31, 1992. Since that time, UNGA has adopted resolutions at least biennially inviting information on implementation for inclusion in a report of the Secretary General prepared for a future meeting of UNGA. NOAA Fisheries has worked with the Department of State to prepare a U.S. submission at every such opportunity. In addition, UNGA regularly considers and adopts resolutions on unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries bycatch and discards; promoting the entry into force of the Food and Agriculture Organization Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; and promoting the entry into force of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. The United States provides information for reports of the Secretary General on these topics as well.

Web address: http://www.un.org/Depts/los/

U.S.-China Marine and Fisheries Science and Technology Protocol

This Protocol, initiated in May 1979, is part of an umbrella science and technology agreement. It has been active continuously since that time, with biennial Joint Working Group meetings. NOAA is the lead U.S. agency for the Agreement--the State Oceanic Administration is the lead agency for China. The Protocol contains four major areas of cooperation: (1) Data and Information; (2) Air-Sea Interaction (or Global Climate Change); (3) Marine Environmental

Services; and 4) Living Marine Resources. NMFS has been actively involved in cooperative projects taking place in the latter two areas of cooperation. For living marine resources, a joint coordination panel has been established which meets periodically to discuss cooperative activities.

The 14th Joint Working Group Meeting took place in Hanzhou, China, in September 1999. At this time, NOAA Fisheries discussed future cooperative research plans with China.

NOAA Fisheries Contact:

Office of Science and Technology
National Marine Fisheries Service, NOAA
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2367
Fax: (301) 713-1875

U.S.-France Cooperative Program

Under the U.S.-France Cooperative Program in Oceanography, the Director of the Northeast Fisheries Science Center serves as the U.S. Program Leader for the Living Resources Panel. French and U.S. scientists have collaborated on various projects including: (1) Technological Interactions in Multi-Species Fisheries; (2) Age Composition of Fisheries Catch; (3) Genetic Manipulation: Shellfish and Marine Invertebrates; (4) COADS (Comprehensive Ocean-Atmosphere Data Set) Data Bank for Fisheries; (5) CEOS (Climate and Eastern Ocean Systems); (6) Spatio-temporal Scales in the Dynamics of Exploited Populations; and (7) Automated Image Processing Techniques for Classification and Assessment of Living Resources.

NOAA Fisheries Contact:

Northeast Fisheries Science Center
National Marine Fisheries Service, NOAA
166 Water Street
Woods Hole, MA 02543-1026
Telephone: (508) 495-2233
Fax: (508) 495-2232

U.S.-Republic of Ireland Cooperation

The *Joint Statement to Pursue Collaboration in the Programmes of Marine Research and Technology Development, Sustainable Development, Coastal Zone Management, and Marine Coastal Protected Areas Between the Marine Institute of Ireland and the U.S. Department of Commerce National Oceanic and Atmospheric Administration* was signed by Commerce Secretary Ron Brown and the Irish Minister for Marine and Natural Resources Sean Barrett in December 1995. A $5 million/5-year collaboration between NOAA and the Marine Institute of Ireland was initiated in October 1999.

The Joint Statement has committed NOAA to collaborate with Irish marine scientists and managers in several areas of mutual interest, including fisheries, harmful algal blooms, remote sensing, oceanographic modeling, and data management. Although the Irish have a long history of activity in some of these areas, the Marine Institute is a relatively new agency, with a wide range of science and management responsibilities. Hence, the Marine Institute is striving to modernize existing programs and develop new programs in many areas, and they are benefitting from the broad expertise and experience base available at NOAA.

In the long term, the hope is to extend the collaboration to include Northern Ireland, thereby improving the scientific and managerial capabilities of Northern Ireland, while also building and strengthening working relationships among the agencies and scientists of the Republic of Ireland and Northern Ireland.

Website address: http://www.marine.ie/intcoop/mi-nooa/index.html-ssi

NOAA Fisheries Contact:

Dr. William Fox, Director
Office of Science and Technology
National Marine Fisheries Service, NOAA
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2367
Fax: (301) 713-1875

U.S.-Morocco Cooperation

The United States established fisheries ties with the Government of Morocco in 1975, when a U.S. Regional Fisheries Attache position was established in Casablanca. These ties were formalized by a series of agreements signed in Washington, D.C., in May 1983. The agreements call for cooperative exchanges between Moroccan and U.S. fishery scientists as a part of an agreement linking the NMFS Southeast Fisheries Science Center and the Institute Scientifique des Peche Maritimes in Casablanca. The most recent exchanges took place in early December 1996, when a delegation from NMFS visited Morocco to encourage marine scientific exchanges and help establish a science-based fisheries management program similar to that of the United States. Both the United States and Morocco are interested in a plan that will: (1) rebuild and maintain sustainable fisheries, (2) promote the recovery of protected or endangered species, and (3) protect and maintain the health of coastal marine habitats.

NOAA Fisheries Contact:

Dr. William Fox, Director
Office of Science and Technology
National Marine Fisheries Service, NOAA
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2367
Fax: (301) 713-1875

U.S.-Korea Science and Technology Agreement

The U.S.-Korea Science and Technology Agreement was concluded in 1988, and has been renewed twice since that time. NMFS involvement with this S&T has been minimal, with most cooperative research activities taking place through regional frameworks such as PICES or through ad hoc bilateral arrangements.

U.S.-South Africa Cooperative Program

The Conservation, Environment, and Water Committee of the U.S.-South Africa Binational Commission was established, in part, to assist South Africa maintain its high quality of oceanographic and fisheries science through increased cooperation with international marine scientists and organizations, and to seek increased participation of under-represented communities in marine sciences.

U.S.-Vietnam Fisheries Cooperation Program

A bilateral fisheries relationship with Vietnam began in earnest during 1998 and was initiated with the exchange of several fishery scientists from both sides. In October 1998, NOAA Fisheries Assistant Administrator Rolland Schmitten led a U.S. fisheries delegation composed of both government and private sector representatives to Vietnam. The visit resulted in agreement to continue cooperative exchanges which will provide benefits to both sides. During 1999 and 2000, a wide variety of scientific exchanges have taken place, the most notable being the participation of a NOAA Fisheries scientist on a Vietnamese fisheries research cruise during October 2000.

NOAA Fisheries Contact:

Office of Science and Technology
National Marine Fisheries Service, NOAA
1315 East-West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2367

Fax: (301) 713-1875

Western Central Atlantic Fishery Commission (WECAFC)

Basic Instrument

Article VI-1 of the United Nations Food and Agriculture Organization (FAO) Constitution. Resolution 4/61of the FAO Council at its Sixty-first Session in November 1973. Statutes amended by FAO Council in December 1978.

Implementing Legislation

None.

Member Nations

Antigua and Barbuda, Bahamas, Barbados, Belize, Brazil, Colombia, Costa Rica, Cuba, Dominica, France, European Community, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Jamaica, Japan, Korea (Rep. of), Mexico, Netherlands, Nicaragua, Panama, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Spain, Suriname, Trinidad and Tobago, United Kingdom, United States, and Venezuela.

Commission Headquarters

FAO Sub-Regional Office for the Caribbean
6th Floor, Tom Adams Financial Centre
P.O. Box 631C
Bridgetown, Barbados

Secretary: Mr. Bisessar Chakalall
Telephone: 246 426 7110
Fax: 246 426 7111
Web address: http://www.fao.org/fi/body/rfb/wecafc/wecafcbasic.htm

U.S. Representation

The Assistant Regional Administrator for Sustainable Fisheries, National Marine Fisheries Service Southeast Region, generally heads the U.S. delegation to WECAF.

Description

A. Mission/Purpose:

WECAF's purpose is to facilitate the coordination of research; to encourage education and training; to assist Member Governments in establishing rational policies; and to promote the rational management of resources of interest to two or more countries. The Commission has an advisory management function but no regulatory powers.

B. Organizational Structure:

The Commission, composed of all Members, is the central policy forum. The Commission has four Subsidiary Committees: (1) Working Party on Assessment of Marine Fishery Resources; (2) Working Party on Fishery Economics and Planning; (3) Committee for the Development and Management of Fisheries in the Lesser Antilles; and (4) the Ad hoc working groups.

Contact:

NOAA Fisheries:

National Marine Fisheries Service
Southeast Regional Office
9721 Executive Center Drive N.
St. Petersburg, Florida 33702
Telepnone: (727) 570-5305
Fax: (727) 570-5583

WECAF Contact:

FAO Subregional Office for the Caribbean
P.O. Box 631C
Barbados
Telephone: +246 426 7110
Fax: +246 426 7111

World Health Organization (WHO) of the United Nations

The WHO of the United Nations is the premier international organization whose mission is to ensure the attainment by all people the highest level of health. For WHO purposes, health is defined as "a state of complete physical, mental, and societal well-being and not merely the absence of disease or infirmity." WHO was founded in 1948 and has four main functions to: (1) provide international guidance in the field of health; (2) establish global standards for health; (3) assist national governments in improving their health plans; and (4) engage in developing and transferring health technologies, standards, and information. WHO conducts numerous food safety activities, and along with FAO, is a joint sponsor of Codex.

Web address: http://www.who.int/home-page/

NOAA Fisheries Contact:

E. Spencer Garrett
National Seafood Inspection Laboratory
P.O. Drawer 1207
Pascagoula, Mississippi 39568-1207
Telephone: (228) 769-8964
Fax: (228) 762-7144

World Trade Organization (WTO)

The WTO (formerly the General Agreement on Tariffs and Trade) was established in 1947, and is the international organization that negotiates and enforces trade rules and periodically convenes multilateral trade negotiations. The last multilateral trade negotiations, the Uruguay Round, began in 1986 and concluded in 1994. The United States has three broad fishery-related interests in WTO: (1) defending our conservation laws in WTO dispute settlement; (2) negotiating

fisheries tariffs, non-tariff barriers, and subsidies in the trade rounds; and (3) more recently, participating in meetings of the WTO Committee on Trade and Environment. Unfortunately, the WTO Ministerial in Seattle that was to kick off a new round of negotiations on a number of issues in early December 1999 ended in failure, and, and a result, the above tariff and subsidies issues were temporarily on hold.

The Fourth WTO Ministerial Conference was held in Doha, Qatar, from November 9-14, 2001. The Ministers agreed to launch negotiations on the relationship between existing WTO rules and trade obligations set out in multilateral environmental agreements. The negotiations will address how WTO rules are to apply to WTO members that are parties to environmental agreements. Ministers also agreed to clarify and improve WTO rules that apply to fisheries subsidies. The issue of fisheries subsidies has been studied in the WTO Trade and Environment Committee for several years. Some studies demonstrate these subsidies can be environmentally damaging if they lead to too many fishermen chasing too few fish. Ministers instructed the Trade and Environment Committee to pay particular attention to eliminating or reducing trade restrictions and distortions to benefit trade, the environment and development as part of its on-going work. Finally, Ministers charged the Trade and Environment Committee to look at the impact of eco-labeling on trade and examine whether existing WTO rules stand in the way of eco-labeling policies. Parallel discussions are to take place in the Technical Barriers to Trade (TBT) Committee.

Web address: http://www.wto.org/

NOAA Fisheries Contact:

Linda Chaves
Constituent and Outreach Services Division
Office of Constituent Services
National Marine Fisheries Service, NOAA
1315 East West Highway
Silver Spring, MD 20910
Telephone: (301) 713-2379
Fax: (301) 713-2384

PART V. APPENDIX

Governing International Fishery Agreements (GIFAs) Between the United States and Foreign Entities

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act),Title II, Section 201, foreign fishing within the U.S. 200-mile Exclusive Economic Zone may only be conducted under a GIFA.

Although many GIFAs have been concluded since the enactment of the Magnuson-Stevens Act, the following list includes only active agreements that are currently in force or in the process of being extended.

Status as of April 1, 2002.

Country	Expiration Date	Status
Estonia	June 30, 2003	In Force
Latvia	December 31, 2002	In Force
Lithuania	December 31, 2001	Being Extended
People's Republic of China	July 1, 2001	Being Extended
Poland	December 31, 1999	Being Extended
Russia	December 31, 2003	In Force